

Subject: Re: [EXTERNAL] Inquiry for Legal Assistance in Employment, Whistleblower, and Defamation Matters
From: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Date Sent: Wednesday, December 20, 2023 5:11:49 PM GMT-05:00
Date Received: Wednesday, December 20, 2023 5:12:02 PM GMT-05:00

Dear Mr. Wagner -

I am in receipt of your email below sent to me earlier this afternoon.

There is a conflict of interest that prevents me and my law firm from representing you in this matter or in any matter.

I am compelled to bring to your attention that your unilateral communication of information to me without any reasonable expectation that I am willing to discuss the possibility of forming an attorney-client relationship with you means that you are not a prospective client of my law firm within the meaning of the applicable rules of professional conduct.

Very truly yours,

Steven D. Frenkil

Principal

100 Light Street Baltimore, MD 21202
D: +1 410.385.3758 C: +1 410.591.5705 F: +1 410.773.9019



[bio](#) | [vCard](#) | sfrenkil@milesstockbridge.com | [Upload Secure File](#)



On Dec 20, 2023, at 2:28 PM, Ryan Wagner <ryan@mxt3.com> wrote:

[EXTERNAL]

I hope this letter finds you well. I am writing to seek your professional guidance and potential legal representation regarding a complex legal situation I am currently facing. After conducting research and considering your expertise, I believe your assistance in matters related to employment law, whistleblower protections, and defamation may be invaluable.

Background:

I am the Vice President of IT at the largest privately held Planet Fitness franchise, and I have encountered various legal concerns that have impacted my professional reputation, mental health, and overall well-being. I am seeking legal advice to understand my rights, potential legal remedies and the best course of action moving forward.

Employment Law:

I have experienced distressing issues within my workplace, including instances of harassment, bullying, and a hostile work environment. These circumstances have created a challenging and uncomfortable work environment, affecting not only my professional life but also my well-being.

Whistleblower Protections:

Additionally, while performing duties and tasks directed by the CFO, I have uncovered fraudulent and altered information. This discovery has led me to believe that I may be entitled to whistleblower protections under the law. I am seeking guidance on the available legal safeguards to protect against retaliation and the potential avenues for pursuing justice.

Defamation:

The fabricated and altered information has had a detrimental impact on my reputation, both internally within the company and externally. I believe there may be grounds for a defamation claim, and I am interested in exploring the possibility of taking appropriate legal action to protect my reputation and seek remedies for the harm caused.

Request for Legal Assistance:

Given the complexity and sensitivity of my situation, I am reaching out to you for professional guidance and potential legal representation. I kindly request an initial consultation to discuss the details of my case and to evaluate the potential legal options available to me. I am prepared to provide you with the relevant information, documents, and evidence that I currently have parsed out during the consultation.

If you believe that your expertise aligns with my needs, I would greatly appreciate your assistance in navigating these legal matters. Alternatively, if you are unable to provide the specific legal services I require, I kindly ask for your guidance in directing me to another attorney who may be better suited to handle my case.

Confidentiality is of utmost importance to me, and I assure you that all information shared will be treated with the strictest confidence.

Thank you for considering my request. I look forward to the opportunity to discuss my case with you further and to potentially engage your legal services. Please let me know of your availability for an initial consultation at your earliest convenience. I have a meeting scheduled for tomorrow afternoon that could include retaliation for a recently filed HR complaint as well as retaliation against me for being a whistle-blower.

Should you require any additional information or have any questions, please do not hesitate to contact me. Thank you for your attention to this matter.

Respectfully,

Ryan Wagner
Mobile: 703-303-1113
1334 Maple Ave
Essex MD 21221

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Subject: Fwd: Ohana Growth Partners, LLC v Ryan Dillon-Capps
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mx13.com" <ryan@mx13.com>
Date Sent: Monday, June 17, 2024 10:28:55 PM GMT-04:00
Date Received: Monday, June 17, 2024 10:29:09 PM GMT-04:00

Sent from my iPhone

Begin forwarded message:

From: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>
Date: June 17, 2024 at 09:13:28 EDT
To: Ryan.DillonCapps@ohanagp.com
Subject: Re: Ohana Growth Partners, LLC v Ryan Dillon-Capps

We have been advised by Judge DeSimone's Chambers that the Court will hear Ohana's Motion for a Temporary Restraining Order this morning as soon as possible after I arrive at the courthouse, which ought to be in about 35 minutes. If you have retained a lawyer to represent you in this matter you should have your lawyer contact Chambers to arrange to participate. If not you can contact Chambers and arrange to appear on your own behalf.

Sent from my iPhone

On Jun 14, 2024, at 11:49, Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

We have been retained by Ohana Growth Partners, LLC to represent it in connection with your ongoing breaches of your contract with and duty of loyalty to the Company and your continuing violation of Md. CODE ANN., CRIM. LAW., §7-302(c) through your refusal to provide Global Admin rights to Phil Leodore of Hartman Executive Advisors. Your continued refusal to comply with Ohana's demands, and your action to lock VP of Human Resources Richard Hartman out of the Company's MS 365 account has left the Company with no option but to seek assistance of the courts.

Attached are copies of a Complaint that will be filed on Ohana's behalf against you in the Circuit Court for Baltimore County. Also attached is a Motion for Entry of a Temporary Restraining Order and Preliminary Injunction, Memorandum of Law in support of the motion with exhibits, and a proposed Order that will be filed along with the Complaint. Our transmitting these documents does not currently constitute service of process triggering your duty to file a response to the Complaint, but it does place you on notice of the Motion for a TRO.

Immediately after the documents are filed we will transmit courtesy copies of the filings to the Hon. Michael J. Finifter, who is serving as today's Chambers Judge for the Court, and request that we be given an opportunity to heard on the Motion for a TRO as soon as possible this afternoon. I will advise you as to whether the Court sets an in-person or telephonic hearing on the motion. If you are represented by an attorney, you should have your attorney contact me as soon as possible.

Ohana will consider withdrawing the Motion for TRO provided that (1) you immediately provide Global Admin rights to Phil Leodore of Hartman Executive Advisors, (2) we receive confirmation from Mr. Leodore that he has received and can exercise those rights, and (3) you confirm in writing that you will comply with the suspension letter sent to you yesterday by Richard Hartman. Time is of the essence. Ohana is also open to a negotiated resolution to the entire matter and any claims that you believe you may have, but will not entertain any discussions until the issue of Global Admin rights is resolved. I am available by telephone to discuss the matter with you and/or your attorney should you wish to do so.

Regards,

Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
 D: +1 410.385.3653 O: +1 410.727.6464 F: +1 410.698.1352



bio | vCard | rbrennen@milesstockbridge.com



<Civil - Case Information Report1.pdf>
 <2024-06-14 Complaint Ohana v Dillon-Capps.pdf>
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 <Exhibit 1 to MOL - Hartman Affidavit.pdf>
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xhibit 3 to MOL.pdf>
<2024-06-14 Proposed TRO.pdf>
<image001.png>
<image002.png>
<image003.jpg>
<image004.png>
<image005.png>

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Date Received: Monday, June 17, 2024 10:33:03 PM GMT-04:00
Attachments: image001.png, image002.png, image003.jpg, image004.png, Civil - Case Information Report1.pdf, 2024-06-14 Complaint Ohana v Dillon-Capps.pdf, 2024-06-14 TRO PI Cover Motion.pdf, 2024-06-14 MOL in support of TRO.pdf, Exhibit 1 to MOL - Hartman Affidavit.pdf, Exhibit 2 to MOL - Justin_Drummond Affidavit.pdf, Exhibit 3 to MOL.pdf, 2024-06-14 Proposed TRO.pdf

As you requested.

Begin forwarded message:

From: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>
Date: June 14, 2024 at 11:49:15 EDT
To: Ryan.DillonCapps@ohanagp.com
Subject: Ohana Growth Partners, LLC v Ryan Dillon-Capps

We have been retained by Ohana Growth Partners, LLC to represent it in connection with your ongoing breaches of your contract with and duty of loyalty to the Company and your continuing violation of Md. CODE ANN., CRIM. LAW., §7-302(c) through your refusal to provide Global Admin rights to Phil Leodore of Hartman Executive Advisors. Your continued refusal to comply with Ohana's demands, and your action to lock VP of Human Resources Richard Hartman out of the Company's MS 365 account has left the Company with no option but to seek assistance of the courts.

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Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
 D: +1 410.385.3653 O: +1 410.727.6464 F: +1 410.698.1352

[bio](#) | [vCard](#) | rbrennen@milesstockbridge.com

<image003.jpg>

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To: "ryan@mxt3.com" <ryan@mxt3.com>
Date Sent: Monday, June 17, 2024 10:29:15 PM GMT-04:00
Date Received: Monday, June 17, 2024 10:29:29 PM GMT-04:00

Sent from my iPhone

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From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
Date: June 17, 2024 at 10:07:28 EDT
To: Ryan.DillonCapps@ohanagp.com
Subject: Re: Ohana Growth Partners, LLC v Ryan Dillon-Capps

I am in the Courtroom and about to be heard on the motion
 Sent from my iPhone

On Jun 17, 2024, at 09:13, Brennen, Robert S. <RBRENNEN@MilesStockbridge.com> wrote:

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Regards,

Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
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[<image001.png>](#)

[bio | vCard | rbrennen@MilesStockbridge.com](#)

[<image002.png>](#)

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From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Date Sent: Monday, June 17, 2024 10:29:38 PM GMT-04:00
Date Received: Monday, June 17, 2024 10:30:30 PM GMT-04:00
Attachments: image001.png, 2024-06-16 Temporary Restraining Order entered.pdf

Sent from my iPhone

Begin forwarded message:

From: "Brennen, Robert S." <RBRENNEN@milesstockbridge.com>
Date: June 17, 2024 at 11:50:47 EDT
To: Ryan.DillonCapps@ohanagp.com
Subject: RE: Ohana Growth Partners, LLC v Ryan Dillon-Capps

The Circuit Court for Baltimore County has granted Ohana's Motion and entered the attached Temporary Restraining Order. Your failure to comply with the Order may subject you civil fines and civil contempt, as well as prosecution for criminal contempt. We trust that you will avoid those consequences by complying with the Order.

Robert Brennen Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Brennen, Robert S.
Sent: Monday, June 17, 2024 10:07 AM
To: Ryan.DillonCapps@ohanagp.com
Subject: Re: Ohana Growth Partners, LLC v Ryan Dillon-Capps

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Sent from my iPhone

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Regards,

Robert Brennan

Principal

100 Light Street Baltimore, MD 21202
D: +1 410.385.3653 O: +1 410.727.6464 F: +1 410.698.1352

[<image001.png>](#)

[bio | vCard | rbrennen@milestockbridge.com](#)

[<image002.png>](#)

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<Civil - Case Information Report1.pdf>

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<2024-06-14 TRO PI Cover Motion.pdf>

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<Exhibit 2 to MOL - Justin_Drummond Affidavit.pdf>

<Exhibit 3 to MOL.pdf>

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Subject: Re: [EXTERNAL] Email Dated June 14, 2024 at 11:49 AM - I do not have this email
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>
Date Sent: Monday, June 17, 2024 10:33:07 PM GMT-04:00
Date Received: Monday, June 17, 2024 10:33:25 PM GMT-04:00
Attachments: external.png, first_time_sender_warning.png

I will provide you with instructions as to how you can comply with the Order.
Sent from my iPhone

On Jun 17, 2024, at 21:59, Ryan Wagner <ryan@mxt3.com> wrote:

[EXTERNAL]

THIS IS NOT OUR WRITTEN RESPONSE

Will you please send me a copy of the email you sent to ryan.dilloncapps@ohanagp.com on June 14, 2024, at 11:59 AM, to ryan@mxt3.com?

STILL NOT OUR RESPONSE

Can someone elaborate on how to comply with the order to give access to Mr. Leadore? Logistically speaking, with sincerity, can someone provide a breakdown of how this would occur?

With gratitude and appreciation,

RDC

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Subject: FW: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mx3.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>
Date Sent: Tuesday, June 18, 2024 8:39:15 AM GMT-04:00
Date Received: Tuesday, June 18, 2024 8:40:07 AM GMT-04:00
Attachments: 2024-06-17 CC-008 NOTICE OF HEARINGTRIAL 6-26.pdf

Per the attached, a hearing on Ohana Growth Partners, LLC's Motion for Preliminary Injunction is set for next Wednesday, June 26, 2024 from 9 to 11 a.m.

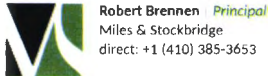
While Ohana is certain that you are abundantly familiar with the actions necessary to bring you into compliance with the Temporary Restraining Order entered yesterday, here are the steps that you should take:

1. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanapp.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.
2. Provide pleadore@ohanapp.com with owner level rights to all Azure subscription plans.
3. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.
4. Once accounts have been created in Ohana's Microsoft 365 tenant and the root level password provided for the GoDaddy account, refrain from accessing or making configuration changes to their Microsoft 365 and GoDaddy accounts.

You should take all the above actions this morning so that you are in compliance with the Temporary Restraining Order by 12 p.m. today. If you fail to do so Ohana will have no choice but to file additional papers with the Court seeking to have you held in contempt of the Order and will ask that the Court take up the issue of contempt during the hearing on June 26th.

As stated in my June 14, 2024 email, Ohana is open to a negotiated resolution to the claims it has asserted in its Complaint and any claims that you believe you may have, but will not entertain any discussions until you are in compliance with the Temporary Restraining Order. If you bring yourself into compliance and are interested in discussing a resolution, it is possible that the matter could be resolved in advance of the June 26th hearing

I look forward to receiving confirmation of your compliance.



From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>

Sent: Monday, June 17, 2024 3:42 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 16870699

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	6/17/2024 3:41 PM EST
Filing Type	Writ/Summons/Pleading – Electronic Service
Filing Description	Hearing Notice
Filed By	K S1
Service Contacts	Ohana Growth Partners, LLC: Robert Brennen (rbrennen@milesstockbridge.com) Steven Frenkil (sfrenkil@milesstockbridge.com) Victoria Klein (vklein@milesstockbridge.com) Kim Edwards (kjedwards@milesstockbridge.com)
Document Details	
Served Document	Download Document

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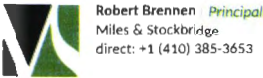
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Subject: RE: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service.
Envelope Number: 16870699
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>; "Hoffberger, Victoria (Tory)" <vhoffberger@milestockbridge.com>
Date Sent: Tuesday, June 18, 2024 1:12:39 PM GMT-04:00
Date Received: Tuesday, June 18, 2024 1:12:51 PM GMT-04:00

As neither I nor Mr. Leadore have received the passwords as contemplated below we will be moving forward with contempt proceedings.



Robert Brennen | Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Brennen, Robert S.
Sent: Tuesday, June 18, 2024 8:39 AM
To: Ryan Wagner <ryan@mxt3.com>
Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
Subject: FW: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service.
Envelope Number: 16870699
Importance: High

Per the attached, a hearing on Ohana Growth Partners, LLC's Motion for Preliminary Injunction is set for next Wednesday, June 26, 2024 from 9 to 11 a.m.

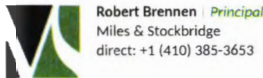
While Ohana is certain that you are abundantly familiar with the actions necessary to bring you into compliance with the Temporary Restraining Order entered yesterday, here are the steps that you should take:

1. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanagg.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.
2. Provide pleadore@ohanagg.com with owner level rights to all Azure subscription plans.
3. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.
4. Once accounts have been created in Ohana's Microsoft 365 tenant and the root level password provided for the GoDaddy account, refrain from accessing or making configuration changes to their Microsoft 365 and GoDaddy accounts.

You should take all the above actions this morning so that you are in compliance with the Temporary Restraining Order by 12 p.m. today. If you fail to do so Ohana will have no choice but to file additional papers with the Court seeking to have you held in contempt of the Order and will ask that the Court take up the issue of contempt during the hearing on June 26th.

As stated in my June 14, 2024 email, Ohana is open to a negotiated resolution to the claims it has asserted in its Complaint and any claims that you believe you may have, but will not entertain any discussions until you are in compliance with the Temporary Restraining Order. If you bring yourself into compliance and are interested in discussing a resolution, it is possible that the matter could be resolved in advance of the June 26th hearing

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Robert Brennen | Principal
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direct: +1 (410) 385-3653

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Sent: Monday, June 17, 2024 3:42 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service.
Envelope Number: 16870699

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
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This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	6/17/2024 3:41 PM EST
Filing Type	Writ/Summons/Pleading – Electronic Service
Filing Description	Hearing Notice
Filed By	K S1

Service Contacts	Ohana Growth Partners, LLC: Robert Brennen (rbrennen@milesstockbridge.com) Steven Frenkil (sfrenkil@milesstockbridge.com) Victoria Klein (vklein@milesstockbridge.com) Kim Edwards (kjedwards@milesstockbridge.com)
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Subject: RE: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Date Sent: Tuesday, June 18, 2024 1:30:04 PM GMT-04:00
 Date Received: Tuesday, June 18, 2024 1:30:18 PM GMT-04:00

Are you going to send me a copy of what you presented to the Court?



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>

Sent: Tuesday, June 18, 2024 1:26 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

I just left the courthouse after providing a letter to the clerk for the chambers judge. My lawyer has a death in the family and is at a prescheduled conference next week and we are looking for another attorney who can received to this urgency issue. The judge also received documentation showing the suspension was illegal and the TRO is asking me to something illegal.

Please allow time for the judge to review.

On Tue, Jun 18, 2024, 1:12PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

As neither I nor Mr. Leadore have received the passwords as contemplated below we will be moving forward with contempt proceedings.

Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Brennen, Robert S.

Sent: Tuesday, June 18, 2024 8:39 AM

To: Ryan Wagner <ryan@mxt3.com>

Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milesstockbridge.com>

Subject: FW: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

Importance: High

Per the attached, a hearing on Ohana Growth Partners, LLC's Motion for Preliminary Injunction is set for next Wednesday, June 26, 2024 from 9 to 11 a.m.

While Ohana is certain that you are abundantly familiar with the actions necessary to bring you into compliance with the Temporary Restraining Order entered yesterday, here are the steps that you should take:

1. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanapp.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.
2. Provide pleadore@ohanapp.com with owner level rights to all Azure subscription plans.
3. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.
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You should take all the above actions this morning so that you are in compliance with the Temporary Restraining Order by 12 p.m. today. If you fail to do so Ohana will have no choice but to file additional papers with the Court seeking to have you held in contempt of the Order and will ask that the Court take up the issue of contempt during the hearing on June 26th.

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I look forward to receiving confirmation of your compliance.

Robert Brennen | Principal
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 direct: +1 (410) 385-3653

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>

Sent: Monday, June 17, 2024 3:42 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 16870699

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	6/17/2024 3:41 PM EST
Filing Type	Writ/Summons/Pleading – Electronic Service
Filing Description	Hearing Notice
Filed By	K S1
Service Contacts	Ohana Growth Partners, LLC: Robert Brennan (rbrennen@milesstockbridge.com) Steven Frenkil (sfrenkil@milesstockbridge.com) Victoria Klein (vklein@milesstockbridge.com) Kim Edwards (kjedwards@milesstockbridge.com)

Document Details	
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Subject: Re: [EXTERNAL] "Security Envelope -20240618 Letter to Judge.pdf" shared with you
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mx13.com" <ryan@mx13.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milestockbridge.com>
Date Sent: Tuesday, June 18, 2024 5:52:43 PM GMT-04:00
Date Received: Tuesday, June 18, 2024 5:52:56 PM GMT-04:00
Attachments: external.png, action_warning.png

No one can open and view the document.
Please include Mr. Frenkil and Ms. Hoffberger on the communication including passwords.

Sent from my iPhone

On Jun 18, 2024, at 16:40, Ryan Wagner <ryan@mx13.com> wrote:

[EXTERNAL]

Hi,

The password will be sent to 443-956-6458.

Here's the file "Security Envelope -20240618 Letter to Judge.pdf" for you to view.
<https://acrobat.adobe.com/id/urn:aaid:sc:va6c2:a5f77a66-7e70-430f-ab32-6f33786515fb>

You don't need to download Acrobat to access the file.

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Subject: FW: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16909122
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: Ryan Wagner <ryan@mxt3.com>
 Cc: "Hoffberger, Victoria (Tony)" <vhoffberger@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
 Date Sent: Thursday, June 20, 2024 12:40:13 PM GMT-04:00
 Date Received: Thursday, June 20, 2024 12:41:01 PM GMT-04:00
 Attachments: 2024-06-20 - Petition to Show Cause and for Constructive Contempt.pdf

A copy of the attached was just filed with the Clerk of the Circuit Court for Baltimore County.



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
 Sent: Thursday, June 20, 2024 12:26 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Subject: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16909122

[EXTERNAL]



Filing Submitted

Envelope Number: 16000122

Case Number: C-03-CV-24-002264

Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps

The filing below has been submitted to the clerk's office for review. Please allow 24 - 48 hours for clerk office processing.

Filing Details	
Court	3rd Circuit
Date/Time Submitted	6/20/2024 12:24 PM EST
Filing Type	Petition for Contempt/Enforcement
Filing Description	Petition to Show Cause and For Constructive Civil Contempt
Type of Filing	EFileAndServe
Filed By	Robert Brennen
Filing Attorney	Robert Brennen

Fee Details	
Your account is never charged until your filing is accepted. If you see any pending charges on your account prior to acceptance, this is an authorization hold to ensure the funds are available so your filing can be accepted without delay.	
If the filing is canceled or rejected these funds will be released and will return to your account according to your financial institution's policies (typically 3-10 business days).	
This envelope is pending review and fees may change.	
Case Fee Information	\$1.08
Payment Service Fees	\$1.08
Petition for Contempt/Enforcement	\$31.00
Court Fees	\$31.00
Proposed Order / Decree	\$0.00
Total: \$32.08 (The envelope still has pending filings and the fees are subject to change)	

Document Details	
Lead Document	Petition to Show Cause and for Contempt.pdf
Lead Document Page Count	6
File Copy	Download Document
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For technical assistance, contact your service provider

Odyssey File & Serve

(800) 297-5377

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[Secure Upload/Download files click here.](#)

Subject: RE: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@MilesStockbridge.com>
 Date Sent: Monday, June 24, 2024 1:23:42 PM GMT-04:00
 Date Received: Monday, June 24, 2024 1:24:00 PM GMT-04:00

As you have seen, the Court rejected your assertions that PCI compliance issues prevent you from complying with the Temporary Restraining Order and has directed that you appear at the hearing scheduled for Wednesday to explain why you should not be held in contempt of court.

Below you claim that you "would greatly appreciate anything [I] could do to help us negotiate an end to this." I am authorized by Ohana to make the following proposal:

1. You must immediately comply with the 4 steps I communicated a week ago:

- i. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanagp.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.
- ii. Provide pleadore@ohanagp.com with owner level rights to all Azure subscription plans.
- iii. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.
- iv. Once accounts have been created in Ohana's Microsoft 365 tenant and the root level password provided for the GoDaddy account, refrain from accessing or making configuration changes to their Microsoft 365 and GoDaddy accounts.

Note that this provision is non-negotiable and cannot be subject to or held up by any requests by you for information from or about Mr. Leadore. You perform the steps/actions as stated; period.

2. You send an email to Ms. Lauren Prinkey, Judicial Assistant to the Honorable Keith R. Truffer, cc'ing me and my colleagues Mr. Frenkil and Ms. Hoffberger, and asking her to advise the Court that you consent to the entry of the preliminary injunction.

Once we receive confirmation from Mr. Leadore that he has obtained Global Administration rights in Ohana's Microsoft 365, owner rights to all Azure subscription plans and administrative control over the GoDaddy Account, Ohana will:

1. Withdraw its motion to have you held in contempt of the TRO;
2. Request that the Court cancel the scheduled June 26th hearing as moot and unnecessary; and
3. Pause the litigation for 30 days in order to provide an opportunity for your situation to stabilize and for you and Ohana to attempt to negotiate an end to the litigation.

Time is of the essence. If you do not complete the four steps in Item 1 by 5:30 p.m. today the entire proposal is off the table.



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>

Sent: Tuesday, June 18, 2024 5:30 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

I am writing to confirm that the share link to the encrypted envelope and file should have been received. The password has been texted to you separately for security purposes.

In my haste, I did not request a copy of my submission from the clerk. It was signed, and today's chamber judge was named. Due to the urgency of the situation, I was rushing, but assuming everything was printed correctly, the attachment should be what the judge has. I apologize for any delay. Earlier in the week, I informed Justin and Glenn that I could no longer sustain the current situation and required assistance. Glenn mentioned what I assume to be Hartman Executive Advisors. My recent email to Mr. Leadore reiterates my openness to support.

I should clarify that the plaintiffs are not technical experts, and their response to my concerns has consistently been, "I disagree." Throughout this process, I have provided numerous options and proactively suggested solutions to maintain PCI compliance while accommodating their requests. My current state is barely functional, and my wife, a licensed therapist with extensive trauma counseling experience, is primarily taking care of me. I have been in and out of a non-functional state for days now, and leading up to this, I have repeatedly requested contact information from their attorney. When I asked Holly Butler, her instruction was that I go through Ohana, which is confusing given that you are all part of the same law firm. They have refused to provide me with your information, and I had to obtain it from the filing.

There have been two formal written requests for your information because I want this to end. They persist, and when not targeting me, they go after Darren, Ann, and the help desk. Ann requested time off for mental health reasons yesterday. When I inquired about her well-being, she disclosed that she had experienced a panic attack but did not recognize it until she saw a doctor.

On Thursday, I sent emails about Rich's actions against Darren, spoke with Victor and Lynne, and had a lengthy text chain with Justin. At no point did anyone say I was suspended, and I believed Rich was dangerous for hours. I sent my wife away, I sent Ann home, and I reached out to two senior directors for backup before someone responded to me. I would greatly appreciate anything you could do to help us negotiate an end to this. The only condition that is not acceptable is that anyone is left unprotected, and in the last 30 days alone, it has been clearly documented in writing that they are also targeting Ann, Darren, and Cielo. There are more examples stretching back even further for all of us.

Thank you for your attention to this matter. I am doing the best I can, and technically, since I said I would tell them when I was back, my FMLA leave is still active. If they believe something else to be true, please inform them that as a result of the escalated hostility, I will be on FMLA leave until further notice. The statement about there being no other administrators is incorrect. LeeAnn continues to hold the role of Billing Administrator, and the support team continues to hold the privileged role of User Administrator. Since Darren was removed, there have been some gaps in Azure administration. I would like to provide this access to Dante Martinez, who is the Help Desk Manager. The gap in understanding what the Global Administrator role does underscores how their statements do not qualify as expert testimony.

Thank you for your attention to this matter.

with gratitude and appreciation,

RDC

On Tue, Jun 18, 2024 at 1:41 PM Ryan Wagner <ryan@mxt3.com> wrote:

I am in my car, and I definitely can give you the letter. I do not know the procedure for the rest of it.

I would have sent it to you soon, but I have been non-functioning for most of the time since the suspension. I do not think you would have filed the case at all if you had been given even the full emails where the make coercive threats and supporting emails and texts. For example, the cease and desist was because I had been on FMLA leave time for less than 2 hours before the 6-hour demand letter to work or else. I can't think of a reason to not give it to you because it was supposed to be our filing against multiple people at Ohana in our own TRO, preliminary injunction, and Peace Order along with other documents supporting what we are requesting.

Please give me a moment to stop shaking and get to a computer

On Tue, Jun 18, 2024, 1:30 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Are you going to send me a copy of what you presented to the Court?

Robert Brennen - Principal
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direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>

Sent: Tuesday, June 18, 2024 1:26 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

I just left the courthouse after providing a letter to the clerk for the chambers judge. My lawyer has a death in the family and is at a prescheduled conference next week and we are looking for another attorney who can receive to this urgency issue. The judge also received documentation showing the suspension was illegal and the TRO is asking me to do something illegal.

Please allow time for the judge to review.

On Tue, Jun 18, 2024, 1:12 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

As neither I nor Mr. Leadore have received the passwords as contemplated below we will be moving forward with contempt proceedings.

Robert Brennen - Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Brennen, Robert S.

Sent: Tuesday, June 18, 2024 8:39 AM

To: Ryan Wagner <ryan@mxt3.com>

Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milesstockbridge.com>

Subject: FW: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

Importance: High

Per the attached, a hearing on Ohana Growth Partners, LLC's Motion for Preliminary Injunction is set for next Wednesday, June 26, 2024 from 9 to 11 a.m.

While Ohana is certain that you are abundantly familiar with the actions necessary to bring you into compliance with the Temporary Restraining Order entered yesterday, here are the steps that you should take:

1. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanapp.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.
2. Provide pleadore@ohanapp.com with owner level rights to all Azure subscription plans.
3. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.
4. Once accounts have been created in Ohana's Microsoft 365 tenant and the root level password provided for the GoDaddy account, refrain from accessing or making configuration changes to their Microsoft 365 and GoDaddy accounts.

You should take all the above actions this morning so that you are in compliance with the Temporary Restraining Order by 12 p.m. today. If you fail to do so Ohana will have no choice but to file additional papers with the Court seeking to have you held in contempt of the Order and will ask that the Court take up the issue of contempt during the hearing on June 26th.

As stated in my June 14, 2024 email, Ohana is open to a negotiated resolution to the claims it has asserted in its Complaint and any claims that you believe you may have, but will not entertain any discussions until you are in compliance with the Temporary Restraining Order. If you bring yourself into compliance and are interested in discussing a resolution, it is possible that the matter could be resolved in advance of the June 26th hearing.

I look forward to receiving confirmation of your compliance.

Robert Brennen - Principal

Miles & Stockbridge
direct: +1 (410) 385-3653

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>

Sent: Monday, June 17, 2024 3:42 PM

To: Brennan, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 16870699

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	6/17/2024 3:41 PM EST
Filing Type	Writ/Summons/Pleading – Electronic Service
Filing Description	Hearing Notice
Filed By	K S1
Service Contacts	Ohana Growth Partners, LLC:
	Robert Brennan (rbrennen@milesstockbridge.com)
	Steven Frenkil (sfrenkil@milesstockbridge.com)
	Victoria Klein (vklein@milesstockbridge.com)
	Kim Edwards (kjedwards@milesstockbridge.com)

Document Details	
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Subject: Fwd: [EXTERNAL] Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Date Sent: Monday, June 24, 2024 6:58:40 PM GMT-04:00
Date Received: Monday, June 24, 2024 6:59:27 PM GMT-04:00
Attachments: 1942_001.pdf

Sent from my iPhone

Begin forwarded message:

From: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Date: June 21, 2024 at 12:04:28 EDT
To: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>, "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, ryan@mxt3.com
Subject: [EXTERNAL] Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264

[EXTERNAL]

Good afternoon,

Please see the attached orders from the court.

Thank you,

Lauren

Lauren Prinkey

Judicial Assistant to the Honorable Keith R. Truffer

Circuit Court for Baltimore County

401 Bosley Avenue

Towson, MD 21204

410-887-6515 (Office)

410-296-1810 (Fax)

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Subject: Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>, "pleadore@hartmanadvisors.com" <pleadore@hartmanadvisors.com>
Date Sent: Monday, June 24, 2024 7:05:31 PM GMT-04:00
Date Received: Monday, June 24, 2024 7:05:48 PM GMT-04:00
Attachments: image001.png,external.png,action_warning.png

I just forwarded Ms. Prinkney's email that went to you On Friday
Sent from my iPhone

On Jun 24, 2024, at 18:54, Ryan Wagner <ryan@mxt3.com> wrote:

[EXTERNAL]

@Brennen, Robert S. I am not ignoring you; I am suffering from severe PTSD complications and doing the best I can.

I am still waiting to see the court's assertion. How are they being delivered? May I have a copy?

You mentioned Ms. Lauren Prinkey, Judicial Assistant to the Honorable Keith R. Truffer. May I have that email address?

I am eager to read the court's assertion and have the email you mentioned in your instructions.

Thank you,
RDC

On Mon, Jun 24, 2024 at 1:24 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

As you have seen, the Court rejected your assertions that PCI compliance issues prevent you from complying with the Temporary Restraining Order and has directed that you appear at the hearing scheduled for Wednesday to explain why you should not be held in contempt of court.

Below you claim that you "would greatly appreciate anything [I] could do to help us negotiate an end to this." I am authorized by Ohana to make the following proposal:

I. You must immediately comply with the 4 steps I communicated a week ago:

i. Create an account in Ohana's Microsoft 365 tenant, pleadore@ohanagp.com. Add the account into the Global Administrators group and send the password to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458.

ii. Provide pleadore@ohanagp.com with owner level rights to all Azure subscription plans.

iii. Provide the root level administrator account password in GoDaddy to pleadore@hartmanadvisors.com via a secure email. If you do not have access to send a secure email, you should send the password to me via text at 443-956-6458. You should remove all multi-factor authentication apps, phone numbers, and/or email addresses associated with the root account.

iv. Once accounts have been created in Ohana's Microsoft 365 tenant and the root level password provided for the GoDaddy account, refrain from accessing or making configuration changes to their Microsoft 365 and GoDaddy accounts.

Note that this provision is non-negotiable and cannot be subject to or held up by any requests by you for information from or about Mr. Leadore. You perform the steps/actions as stated; period.

2. You send an email to Ms. Lauren Prinkey, Judicial Assistant to the Honorable Keith R. Truffer, cc'ing me and my colleagues Mr. Frenkil and Ms. Hoffberger, and asking her to advise the Court that you consent to the entry of the preliminary injunction.

Once we receive confirmation from Mr. Leadore that he has obtained Global Administration rights in Ohana's Microsoft 365, owner rights to all Azure subscription plans and administrative control over the GoDaddy Account, Ohana will:

1. Withdraw its motion to have you held in contempt of the TRO;
2. Request that the Court cancel the scheduled June 26th hearing as moot and unnecessary; and
3. Pause the litigation for 30 days in order to provide an opportunity for your situation to stabilize and for you and Ohana to attempt to negotiate an end to the litigation.

Time is of the essence. If you do not complete the four steps in Item 1 by 5:30 p.m. today the entire proposal is off the table.

[<image001.png>](#) Robert Brennen *Principal*
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>

Sent: Tuesday, June 18, 2024 5:30 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

I am writing to confirm that the share link to the encrypted envelope and file should have been received. The password has been texted to you separately for security purposes.

In my haste, I did not request a copy of my submission from the clerk. It was signed, and today's chamber judge was named. Due to the urgency of the situation, I was rushing, but assuming everything was printed correctly, the attachment should be what the judge has. I apologize for any delay. Earlier in the week, I informed Justin and Glenn that I could no longer sustain the current situation and required assistance. Glenn mentioned what I assume to be Hartman Executive Advisors. My recent email to Mr. Leadore reiterates my openness to support.

I should clarify that the plaintiffs are not technical experts, and their response to my concerns has consistently been, "I disagree." Throughout this process, I have provided numerous options and proactively suggested solutions to maintain PCI compliance while accommodating their requests. My current state is barely functional, and my wife, a licensed therapist with extensive trauma counseling experience, is primarily taking care of me. I have been in and out of a non-functional state for days now, and leading up to this, I have repeatedly requested contact information from their attorney. When I asked Holly Butler, her instruction was that I go through Ohana, which is confusing given that you are all part of the same law firm. They have refused to provide me with your information, and I had to obtain it from the filing.

There have been two formal written requests for your information because I want this to end. They persist, and when not targeting me, they go after Darren, Ann, and the help desk. Ann requested time off for mental health reasons yesterday. When I inquired about her well-being, she disclosed that she had experienced a panic attack but did not recognize it until she saw a doctor.

On Thursday, I sent emails about Rich's actions against Darren, spoke with Victor and Lynne, and had a lengthy text chain with Justin. At no point did anyone say I was suspended, and I believed Rich was dangerous for hours. I sent my wife away, I sent Ann home, and I reached out to two senior directors for backup before someone responded to me. **I would greatly appreciate anything you could do to help us negotiate an end to this.** The only condition that is not acceptable is that anyone is left unprotected, and in the last 30 days alone, it has been clearly documented in writing that they are also targeting Ann, Darren, and Cielo. There are more examples stretching back even further for all of us.

Thank you for your attention to this matter. I am doing the best I can, and technically, since I said I would tell them when I was back, my FMLA leave is still active. If they believe something else to be true, please inform them that as a result of the escalated hostility, I will be on FMLA leave until further notice. The statement about there being no other administrators is incorrect. LeeAnn continues to hold the role of Billing Administrator, and the support team continues to hold the privileged role of User Administrator. Since Darren was removed, there have been some gaps in Azure administration. I would like to provide this access to Dante Martinez, who is the Help Desk Manager. The gap in understanding what the Global Administrator role does underscores how their statements do not qualify as expert testimony.

Thank you for your attention to this matter.

with gratitude and appreciation,

RDC

On Tue, Jun 18, 2024 at 1:41 PM Ryan Wagner <ryan@mxt3.com> wrote:

I am in my car, and I definitely can give you the letter. I do not know the procedure for the rest of it.

I would have sent it you soon sooner, but I have been non-functioning for most of the time since the suspension. I do not think you would have filed the case at all if you had been given even the full emails where the make coercive threats and supporting emails and texts. For example, the cease and desist was because I had been on FMLA leave time for less than 2 hours before the 6hour demand letter to work or else. I cant think of a reason to not give it to you because it was supposed to be our filing against multiple people at Ohana in our own TRO, preliminary injunction, and Peace Order along with other documents supporting what we are requesting.

Please give me a moment to stop shaking and get to a computer

On Tue, Jun 18, 2024, 1:30 PM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

Are you going to send me a copy of what you presented to the Court?

Robert Brennen | [Principal](#)
- [Miles & Stockbridge](#)
[direct: +1 \(410\) 385-3653](#)

-
From: Ryan Wagner <ryan@mxt3.com>

Sent: Tuesday, June 18, 2024 1:26 PM

To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: Re: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

-
-
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-
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-
Robert Brennen Principal
Miles & Stockbridge
direct: +1 (410) 385-3653
-

From: Brennen, Robert S.

Sent: Tuesday, June 18, 2024 8:39 AM

To: Ryan Wagner <ryan@mxt3.com>

Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milesstockbridge.com>

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Importance: High
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-

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I look forward to receiving confirmation of your compliance.

Robert Brennan Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>

Sent: Monday, June 17, 2024 3:42 PM

To: Brennan, Robert S. <RBRENNEN@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Writ/Summons/Pleading – Electronic Service, Envelope Number: 16870699

[EXTERNAL]

Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 16870699

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
<u>Case Number</u>	<u>C-03-CV-24-002264</u>
<u>Case Style</u>	<u>Ohana Growth Partners, LLC vs. Ryan Dillon-Capps</u>
<u>Date/Time Submitted</u>	<u>6/17/2024 3:41 PM EST</u>

Filing Type	Writ/Summons/Pleading – Electronic Service
Filing Description	Hearing Notice
Filed By	K S1
Service Contacts	<p>Ohana Growth Partners, LLC:</p> <p>Robert Brennen (rbrennen@milesstockbridge.com)</p> <p>Steven Frenkil (sfrenkil@milesstockbridge.com)</p> <p>Victoria Klein (vklein@milesstockbridge.com)</p> <p>Kim Edwards (kjedwards@milesstockbridge.com)</p>

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Subject: 1942_001.pdf
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Date Sent: Monday, June 24, 2024 7:15:56 PM GMT-04:00
Date Received: Monday, June 24, 2024 7:16:14 PM GMT-04:00
Attachments: 1942_001.pdf

And here again are the Court's orders.
I look forward to seeing you in Court Wednesday morning.

Sent from my iPhone

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Subject: FW: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16968860
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>; "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>
Date Sent: Tuesday, June 25, 2024 11:40:58 AM GMT-04:00
Date Received: Tuesday, June 25, 2024 11:47:47 AM GMT-04:00
Attachments: 2024-06-25 - Line re Filing Romes Affidavit.pdf

The attached was just filed with the Court.



Robert Brennen | Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
Sent: Tuesday, June 25, 2024 11:37 AM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Subject: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16968860

[EXTERNAL]



Filing Submitted

Envelope Number: 16968860

Case Number: C-03-CV-24-002264

Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps

The filing below has been submitted to the clerk's office for review. Please allow 24 - 48 hours for clerk office processing.

Filing Details	
Court	3rd Circuit
Date/Time Submitted	6/25/2024 11:33 AM EST
Filing Type	Line
Filing Description	Line Regarding Affidavit of Randall J. Romes Filed in Support of Plaintiff's Pending Motion for Preliminary Injunction and Petition for Constructive Civil Contempt
Type of Filing	EFileAndServe
Filed By	Robert Brennen
Filing Attorney	Robert Brennen

Fee Details	
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If the filing is canceled or rejected these funds will be released and will return to your account according to your financial institution's policies (typically 3-10 business days).	
This envelope is pending review and fees may change.	
Case Fee Information	\$0.00
Line	\$0.00
Affidavit	\$0.00
Total: \$0.00 (The envelope still has pending filings and the fees are subject to change)	

Document Details	
Lead Document	Line re Filing Romes Affidavit.pdf
Lead Document Page Count	2
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Odyssey File & Serve

(800) 297-5377

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Subject: RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "ryan@mxt3.com" <ryan@mxt3.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milestockbridge.com>
Date Sent: Tuesday, June 25, 2024 11:43:17 AM GMT-04:00
Date Received: Tuesday, June 25, 2024 11:43:35 AM GMT-04:00
Attachments: 2024-06-25 - Line re Filing Romes Affidavit.pdf

Dear Ms. Prinkey,

The Plaintiff in the above-reference matter just filed the attached with the Clerk via MDEC.

Respectfully,



Robert Brennen | Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Sent: Friday, June 21, 2024 12:04 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com
Subject: [EXTERNAL] Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264

[EXTERNAL]

Good afternoon,

Please see the attached orders from the court.

Thank you,
Lauren

Lauren Prinkey
Judicial Assistant to the Honorable Keith R. Truffer
Circuit Court for Baltimore County
401 Bosley Avenue
Towson, MD 21204
410-887-6515 (Office)
410-296-1810 (Fax)

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Subject: RE: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16968860
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: Ryan Wagner <ryan@mxt3.com>
 Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@MilesStockbridge.com>
 Date Sent: Tuesday, June 25, 2024 11:54:29 AM GMT-04:00
 Date Received: Tuesday, June 25, 2024 11:55:21 AM GMT-04:00
 Attachments: 2024-06-25 - Line re Filing Romes Affidavit.pdf

The attached version includes Mr. Romes signed affidavit



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Brennen, Robert S.
 Sent: Tuesday, June 25, 2024 11:41 AM
 To: Ryan Wagner <ryan@mxt3.com>
 Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@MilesStockbridge.com>
 Subject: FW: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16968860

The attached was just filed with the Court.



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: no-reply@efilingmail.tyvertch.cloud <no-reply@efilingmail.tyvertch.cloud>
 Sent: Tuesday, June 25, 2024 11:37 AM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Subject: [EXTERNAL] Filing Submitted for Case: C-03-CV-24-002264; Ohana Growth Partners, LLC vs. Ryan Dillon-Capps; Envelope Number: 16968860

[EXTERNAL]



Filing Submitted

Envelope Number: 16968860

Case Number: C-03-CV-24-002264

Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps

The filing below has been submitted to the clerk's office for review. Please allow 24 - 48 hours for clerk office processing.

Filing Details	
Court	3rd Circuit
Date/Time Submitted	6/25/2024 11:33 AM EST
Filing Type	Line
Filing Description	Line Regarding Affidavit of Randall J. Romes Filed in Support of Plaintiff's Pending Motion for Preliminary Injunction and Petition for Constructive Civil Contempt
Type of Filing	EFileAndServe
Filed By	Robert Brennen
Filing Attorney	Robert Brennen

Fee Details	
Your account is never charged until your filing is accepted. If you see any pending charges on your account prior to acceptance, this is an authorization hold to ensure the funds are available so your filing can be accepted without delay.	
If the filing is canceled or rejected these funds will be released and will return to your account according to your financial institution's policies (typically 3-10 business days).	
This envelope is pending review and fees may change.	
Case Fee Information	\$0.00
Line	\$0.00
Affidavit	\$0.00
Total:\$0.00 (The envelope still has pending filings and the fees are subject to change)	

Document Details	
Lead Document	Line re Filing Romes Affidavit.pdf
Lead Document Page Count	2
File Copy	Download Document
This link is active for 60 days.	

For technical assistance, contact your service provider

35 / 91

Page # 35 of 91

M&S All Emails Extracted

Exhibit 164

Odyssey File & Serve

(800) 297-5377

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Subject: RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>; "ryan@mxt3.com" <ryan@mxt3.com>; "Hoffberger, Victoria (Tory)" <vhoffberger@milestockbridge.com>
Date Sent: Tuesday, June 25, 2024 11:56:40 AM GMT-04:00
Date Received: Tuesday, June 25, 2024 11:56:58 AM GMT-04:00
Attachments: 2024-06-25 - Line re Filing Romes Affidavit.pdf

Dear Ms. Prinkey,

For some reason, when we created the combined pdf I sent you a moment ago Mr. Romes e-signature was removed from his affidavit. Attached are the documents as filed with the signed affidavit.

Respectfully,



Robert Brennen Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Brennen, Robert S.
Sent: Tuesday, June 25, 2024 11:43 AM
To: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
Subject: RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264
Importance: High

Dear Ms. Prinkey,

The Plaintiff in the above-reference matter just filed the attached with the Clerk via MDEC.

Respectfully,



Robert Brennen Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Sent: Friday, June 21, 2024 12:04 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com
Subject: [EXTERNAL] Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264

[EXTERNAL]

Good afternoon,

Please see the attached orders from the court.

Thank you,
Lauren

Lauren Prinkey
Judicial Assistant to the Honorable Keith R. Truffer
Circuit Court for Baltimore County
401 Bosley Avenue
Towson, MD 21204
410-887-6515 (Office)
410-296-1810 (Fax)

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Subject: RE: [EXTERNAL] RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>, "ryan@mxt3.com" <ryan@mxt3.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milestockbridge.com>
Date Sent: Tuesday, June 25, 2024 12:04:01 PM GMT-04:00
Date Received: Tuesday, June 25, 2024 12:04:18 PM GMT-04:00

Dear Ms. Prinkey,

Thank you for that clarification.

Respectfully,



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Sent: Tuesday, June 25, 2024 12:02 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
Subject: RE: [EXTERNAL] RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264

[EXTERNAL]

Good afternoon,

Judge Truffer addressed this matter during Chambers duties. As long as everything is filed in MDEC, you do not have to send a courtesy copy to me. I am not sure who this will be assigned to.

Thank you,
 Lauren

Lauren Prinkey

Judicial Assistant to the Honorable Keith R. Truffer
 Circuit Court for Baltimore County
 401 Bosley Avenue
 Towson, MD 21204
 410-887-6515 (Office)
 410-296-1810 (Fax)

From: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Sent: Tuesday, June 25, 2024 11:57 AM
To: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
Subject: [EXTERNAL] RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264

Dear Ms. Prinkey,

For some reason, when we created the combined pdf I sent you a moment ago Mr. Romes e-signature was removed from his affidavit. Attached are the documents as filed with the signed affidavit.

Respectfully,



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Brennen, Robert S.
Sent: Tuesday, June 25, 2024 11:43 AM
To: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
Subject: RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264
Importance: High

Dear Ms. Prinkey,

The Plaintiff in the above-reference matter just filed the attached with the Clerk via MDEC.

Respectfully,



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Lauren Prinkey <Lauren.Prinkey@mdcourts.gov>
Sent: Friday, June 21, 2024 12:04 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; ryan@mxt3.com
Subject: [EXTERNAL] Ohana Growth Partners, LLC v. Ryan Dillon-Capps - C-03-CV-24-2264

[EXTERNAL]

Subject: RE: [EXTERNAL] RE: C-03-CV-24-2264, Ohana Growth Partners, LLC v. Ryan (Wagner) Dillon-Capps
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: Rachel Kiefer <rachel.kiefer@mdcourts.gov>
 Cc: "ryan@mxt3.com" <ryan@mxt3.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milestockbridge.com>
 Date Sent: Wednesday, June 26, 2024 3:02:17 PM GMT-04:00
 Date Received: Wednesday, June 26, 2024 3:02:37 PM GMT-04:00

Dear Ms. Kiefer,

I am unable to open the file that was attached to your message.
 Can you resend the document?

Respectfully,



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Rachel Kiefer <rachel.kiefer@mdcourts.gov>
 Sent: Wednesday, June 26, 2024 2:56 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Cc: ryan@mxt3.com; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
 Subject: RE: [EXTERNAL] RE: C-03-CV-24-2264, Ohana Growth Partners, LLC v. Ryan (Wagner) Dillon-Capps

[EXTERNAL]

Good afternoon,

Please see attached a courtesy copy of the Order which has been forwarded to the Clerk for entry on the docket.

Respectfully,



Rachel Kiefer
 Law Clerk to the Honorable Michael S. Barranco
 Circuit Court for Baltimore County
 401 Bosley Avenue
 Towson, MD 21204
 410-887-2500 (Office)
 410-296-1324 (Fax)
rachel.kiefer@mdcourts.gov

From: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Sent: Wednesday, June 26, 2024 1:19 PM
 To: Rachel Kiefer <rachel.kiefer@mdcourts.gov>
 Cc: ryan@mxt3.com; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
 Subject: [EXTERNAL] RE: C-03-CV-24-2264, Ohana Growth Partners, LLC v. Ryan (Wagner) Dillon-Capps
 Importance: High

Dear Mr. Kiefer,

Attached is the draft Order Granting Preliminary Injunction based upon our understanding of this morning's proceedings.

Respectfully,



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Rachel Kiefer <rachel.kiefer@mdcourts.gov>
 Sent: Wednesday, June 26, 2024 10:50 AM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@milestockbridge.com>
 Cc: ryan@mxt3.com
 Subject: [EXTERNAL] C-03-CV-24-2264, Ohana Growth Partners, LLC v. Ryan (Wagner) Dillon-Capps

[EXTERNAL]

Good morning,

When the proposed preliminary injunction is ready for Judge's review, please send a word version to chambers. You may also simultaneously file via MDEC, but it is not necessary because we will file the signed order. I will distribute the Order once Judge has signed it.

Respectfully,



Rachel Kiefer
 Law Clerk to the Honorable Michael S. Barranco
 Circuit Court for Baltimore County
 401 Bosley Avenue
 Towson, MD 21204

410-887-2500 (Office)
410-296-1324 (Fax)
rachel.kiefer@mdcourts.gov

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Subject: RE: June 27, 2024 Contempt Hearing Notice - Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Fallyn Allman <Fallyn.Allman@mdcourts.gov>
Cc: Rachel Kiefer <rachel.kiefer@mdcourts.gov>, "ryan@mxt3.com" <ryan@mxt3.com>, "randy.romes@claconnect.com" <Randy.Romes@claconnect.com>
Date Sent: Wednesday, June 26, 2024 4:14:03 PM GMT-04:00
Date Received: Wednesday, June 26, 2024 4:14:19 PM GMT-04:00

Dear Ms. Allman,

Please send the Zoom invitation to Mr. Romes at randy.romes@claconnect.com
I will be appearing in person in Courtroom 8.

Respectfully,



Robert Brennen Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Fallyn Allman <Fallyn.Allman@mdcourts.gov>
Sent: Wednesday, June 26, 2024 11:16 AM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; ryan@mxt3.com
Cc: Rachel Kiefer <rachel.kiefer@mdcourts.gov>
Subject: [EXTERNAL] June 27, 2024 Contempt Hearing Notice - Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264

[EXTERNAL]

Dear All:

Attached please find a copy of the hearing notice in the above captioned matter. This is scheduled for a Contempt Hearing tomorrow, June 27th, 2024 at 1:00 p.m. before Judge Barranco in Courtroom 8. Please let us know who, if any, parties are requesting to attend this hearing remotely so our chambers can send out the zoom invitation for this hearing.

This email is for scheduling purposes only.

Thank you,



Fallyn L. Allman,
Judicial Assistant to the Honorable Michael S. Barranco
Circuit Court for Baltimore County
401 Bosley Avenue, Room 367
Towson, MD 21204
410-887-2500 (Office)
Fallyn.Allman@mdcourts.gov

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Subject: RE: [EXTERNAL] RE: June 27, 2024 Contempt Hearing Notice - Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Fallyn Allman <Fallyn.Allman@mdcourts.gov>, Rachel Kiefer <rachel.kiefer@mdcourts.gov>
Cc: "ryan@mx3.com" <ryan@mx3.com>, "randy.romes@claconnect.com" <Randy.Romes@claconnect.com>, "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
Date Sent: Thursday, June 27, 2024 10:13:18 AM GMT-04:00
Date Received: Thursday, June 27, 2024 10:14:06 AM GMT-04:00
Attachments: 2024-06-27 Proposed Order for Contempt.docx

Good morning,

Barring any change with regard to Defendant's compliance with the TRO and Preliminary Injunction between now and this afternoon's hearing set for 1 p.m., Plaintiff intends to request that the Court enter the attached Order.
 A copy of Plaintiff's proposed Order will be filed with the Clerk via MDEC.

Respectfully,



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Fallyn Allman <Fallyn.Allman@mdcourts.gov>
Sent: Wednesday, June 26, 2024 4:22 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
Cc: Rachel Kiefer <rachel.kiefer@mdcourts.gov>; ryan@mx3.com; randy.romes@claconnect.com
Subject: RE: [EXTERNAL] RE: June 27, 2024 Contempt Hearing Notice - Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264

[EXTERNAL]

Mr. Brennen:

The Zoom invitation for tomorrow's hearing has been sent to Mr. Romes and can also be found below:

Judge Michael Barranco is inviting you to a scheduled ZoomGov meeting.

Join ZoomGov Meeting
<https://mdcourts.zoomgov.com/j/1614289867?pwd=RHhCUUJTWjVWdyMEtadlJ0azhLZz09>

Meeting ID: 161 428 9867
 Passcode: 98079975

One tap mobile
 +16692545252,,1614289867# US (San Jose)
 +16469641167,,1614289867# US (US Spanish Line)

Dial by your location
 • +1 669 254 5252 US (San Jose)
 • +1 646 964 1167 US (US Spanish Line)
 • +1 646 828 7666 US (New York)
 • +1 669 216 1590 US (San Jose)
 • +1 415 449 4000 US (US Spanish Line)
 • +1 551 285 1373 US (New Jersey)
 • 833 568 8864 US Toll-free

Meeting ID: 161 428 9867

Find your local number: <https://mdcourts.zoomgov.com/u/a09uSViBK>

Join by SIP
 • 1614289867@sip.zoomgov.com

Join by H.323
 • [161.199.138.10](tel:161.199.138.10) (US West)
 • [161.199.136.10](tel:161.199.136.10) (US East)

Meeting ID: 161 428 9867
 Passcode: 98079975



Fallyn L. Allman,
 Judicial Assistant to the Honorable Michael S. Barranco
 Circuit Court for Baltimore County
 401 Bosley Avenue, Room 367
 Towson, MD 21204
 410-887-2500 (Office)

Fallyn.Allman@mdcourts.gov

From: Brennan, Robert S. <RBRENNEN@MilesStockbridge.com>
Sent: Wednesday, June 26, 2024 4:14 PM
To: Fallyn Allman <Fallyn.Allman@mdcourts.gov>
Cc: Rachel Kiefer <rachel.kiefer@mdcourts.gov>; ryan@mxt3.com; randy.romes@claconnect.com
Subject: [EXTERNAL] RE: June 27, 2024 Contempt Hearing Notice - Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264

Dear Ms. Allman,

Please send the Zoom invitation to Mr. Romes at randy.romes@claconnect.com
 I will be appearing in person in Courtroom 8.

Respectfully,



Robert Brennan *Principal*
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Fallyn Allman <Fallyn.Allman@mdcourts.gov>
Sent: Wednesday, June 26, 2024 11:16 AM
To: Brennan, Robert S. <RBRENNEN@MilesStockbridge.com>; ryan@mxt3.com
Cc: Rachel Kiefer <rachel.kiefer@mdcourts.gov>
Subject: [EXTERNAL] June 27, 2024 Contempt Hearing Notice - Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264

[EXTERNAL]

Dear All:

Attached please find a copy of the hearing notice in the above captioned matter. This is scheduled for a Contempt Hearing tomorrow, June 27th, 2024 at 1:00 p.m. before Judge Barranco in Courtroom 8. Please let us know who, if any, parties are requesting to attend this hearing remotely so our chambers can send out the zoom invitation for this hearing.

This email is for scheduling purposes only.

Thank you,



Fallyn L. Allman,
 Judicial Assistant to the Honorable Michael S. Barranco
 Circuit Court for Baltimore County
 401 Bosley Avenue, Room 367
 Towson, MD 21204
 410-887-2500 (Office)
Fallyn.Allman@mdcourts.gov

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Subject: RE: [EXTERNAL] RE: Edwards, Kimale J. <kjedwards@MilesStockbridge.com> equest for Copy of Transcript
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Cc: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
Date Sent: Monday, July 1, 2024 8:27:11 AM GMT-04:00
Date Received: Monday, July 1, 2024 8:28:22 AM GMT-04:00
Attachments: 2024-06-27 Contempt Hearing Transcript Full PAge.pdf, 2024-06-27 Contempt Hearing Transcript Mini Page.pdf

As you requested.



Robert Brennen | Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
Sent: Friday, June 28, 2024 4:17 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
Subject: [EXTERNAL] Request for Copy of Transcript

[EXTERNAL]

@Brennen, Robert S. @Edwards, Kimale J. My wife said you asked for a transcript during court yesterday. Do you have a transcript of any of the last two hearings? Could you email them to me?

-RDC

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[Secure Upload/Download files click here.](#)

Subject: Re: [EXTERNAL] REdwards, Kimale J. <kjedwards@MilesStockbridge.com>equest for Copy of Transcript
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mxt3.com" <ryan@mxt3.com>
Cc: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
Date Sent: Tuesday, July 2, 2024 4:56:43 PM GMT-04:00
Date Received: Tuesday, July 2, 2024 4:56:54 PM GMT-04:00

The filings also show that you now owe Ohana \$12,500 in fines. Have you paid any of that?

I think I can get authority to provide the transcript that Ohana paid for if you provide me the password for administrative control of Ohana's GoDaddy account, which Ohana also paid for.

Sent from my iPhone

On Jul 2, 2024, at 16:18, Ryan Wagner <ryan@mxt3.com> wrote:

[EXTERNAL]

Thank you for the 27th. I show in the filings that there is one for the 26th. Do you have the one from the 26th?

On Mon, Jul 1, 2024 at 8:27 AM Brennen, Robert S. <RBRENNEN@MilesStockbridge.com> wrote:

As you requested.

<[image001.png](#)> **Robert Brennen** | *Principal*
Miles & Stockbridge
direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
Sent: Friday, June 28, 2024 4:17 PM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
Subject: [EXTERNAL] Request for Copy of Transcript

[EXTERNAL]

[@Brennen, Robert S.](#) [@Edwards, Kimale J.](#) My wife said you asked for a transcript during court yesterday. Do you have a transcript of any of the last two hearings? Could you email them to me?

-RDC

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Subject: Litigation Hold
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Wednesday, July 3, 2024 2:58:30 PM GMT-04:00
Date Received: Wednesday, July 3, 2024 2:59:22 PM GMT-04:00
Attachments: 2024-07-03 Lit Hold Ltr to Dillon-Capps.pdf

Please see the attached correspondence.

Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
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Subject: Ohana Growth Partners, LLC v. Ryan Dillon-Capps, Case No. C-03-CV-24-002264; 2nd Motion for Contempt Seeking Incarceration
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Cc: "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@milesstockbridge.com>
Date Sent: Wednesday, July 3, 2024 3:22:38 PM GMT-04:00
Date Received: Wednesday, July 3, 2024 3:23:45 PM GMT-04:00
Attachments: 2024-07-03 Petition to Show Cause and for Contempt (Incarceration).pdf, EX 1 - 2024-07-03_Affidavit_of_Daniel_Levett_w_Exh_A.pdf, 2024-07-03 Show Cause Order re Incarceration for Contempt.pdf, 2024-07-03 Filing Envelope Receipt.pdf

Please see the attached, which was filed this afternoon.

Robert Brennen

Principal

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Subject: RE: Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264: 2nd Motion for Contempt (seeking incarceration)
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Fallyn Allman <Fallyn.Allman@mdcourts.gov>, Rachel Kiefer <rachel.kiefer@mdcourts.gov>
Cc: "ryan@mxt3.com" <ryan@mxt3.com>, "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
Date Sent: Wednesday, July 3, 2024 3:28:14 PM GMT-04:00
Date Received: Wednesday, July 3, 2024 3:28:53 PM GMT-04:00
Attachments: 2024-07-03 Filing Envelope Receipt.pdf, 2024-07-03 Petition to Show Cause and for Contempt (Incarceration).pdf, EX 1 - 2024-07-03 Affidavit of Daniel Levett w/ Exh A.pdf, 2024-07-03 Show Cause Order re Incarceration for Contempt.pdf

Dear Ms. Allman and Ms. Kiefer,

We do not whether Judge Barranco will be presiding over further proceedings in this matter relative to his Order granting the Plaintiff's Motion for Preliminary Injunction and his Order finding Defendant Dillon-Capps in contempt, but just in case are transmitting courtesy copies of the attached documents which were filed by Plaintiff this afternoon.

Respectfully,



Robert Brennen | Principal
Miles & Stockbridge
direct: +1 (410) 385-3653

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Subject: Ohana Growth Partners, LLC v Ryan Dillon-Capps; Possible path to ending contempt
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Monday, July 8, 2024 7:22:49 AM GMT-04:00
Date Received: Monday, July 8, 2024 7:23:02 AM GMT-04:00

Good morning,

As of 2 p.m. yesterday you have accrued \$25,000 in fines as a result of your continuing contempt of the Court's June 27th Preliminary Injunction.

Ohana believes that it may be able to achieve the establishment of Global Admin rights in its Microsoft 365 Tenant and administrative rights in its GoDaddy account if you provided photographs (1) of you holding your Maryland drivers license next to your face; (2) the front of your driver's license; and (3) the back of your driver's license. If you provide the photographs and Ohana is successful in regaining administrative rights over its accounts Ohana will consider you contempt as ended and will advise the Court. If you refuse Ohana will present that fact to the Court at your upcoming second contempt hearing as evidence of your continued bad faith and willful violation of the Court's orders.

Robert Brennen

Principal

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Subject: Ohana Growth Partners, LLC v. Ryan Dillon-Capps
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: Ryan Wagner <ryan@mxt3.com>
 Cc: "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>, "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
 Date Sent: Monday, July 15, 2024 9:10:33 AM GMT-04:00
 Date Received: Monday, July 15, 2024 9:10:53 AM GMT-04:00

Notwithstanding your continued contempt of Court and failure to comply with the Court's Preliminary Injunction, Ohana has succeeded in regaining Global Admin rights in its Microsoft 365 tenant and has disabled access via your account, the Null account and the Breakglass account.

Ohana has not regained administrative access to its GoDaddy account and you remain in contempt of the Preliminary Injunction by failing to transfer administrative control of that account and thus subject to daily fines of \$2,500 (which, as of yesterday afternoon, amount to \$42,500.00). If you transfer that control today, Ohana will agree that your contempt of Court has ended, such that no further fines will accrue, and Ohana will withdraw its pending motion to have you placed in jail until you comply with the injunction. You have nothing to gain from refusing to cooperate with the transfer of control of the GoDaddy account and Ohana's domain name registrations, so we hope that you will choose to cooperate.

Robert Brennen

Principal

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bio | vCard | rbrennen@milesstockbridge.com



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Subject: Ohana v Dillon-Capps
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "ryan@mx13.com" <ryan@mx13.com>
Date Sent: Wednesday, July 17, 2024 6:32:48 AM GMT-04:00
Date Received: Wednesday, July 17, 2024 6:32:58 AM GMT-04:00

Between 8 and 8:30 this morning you will receive a text message from GoDaddy in connection with another attempt to reset the password on the Ohana GoDaddy account. The text will c
Sent from my iPhone

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Subject: Ohana v Dillon-Capps
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mx13.com>
Date Sent: Wednesday, July 17, 2024 2:23:21 PM GMT-04:00
Date Received: Wednesday, July 17, 2024 2:24:09 PM GMT-04:00
Attachments: Notice of Withdrawal of Petition for Contempt (Incarceration).pdf, Proposed Order Striking Show Cause Order.pdf

The attached were filed via the MDEC service this afternoon.

Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
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Subject: Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-2264
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: "Fallyn.Allman@mdcourts.gov" <Fallyn.Allman@mdcourts.gov>; Rachel Kiefer <rachel.kiefer@mdcourts.gov>
Cc: Ryan Wagner <ryan@mx13.com>; "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>; "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>; "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
Date Sent: Wednesday, July 17, 2024 2:32:15 PM GMT-04:00
Date Received: Wednesday, July 17, 2024 2:32:44 PM GMT-04:00
Attachments: Notice of Withdrawal of Petition for Contempt (Incarceration).pdf, Proposed Order Striking Show Cause Order.pdf

Good afternoon,

In connection with the Show Cause hearing in the above-referenced matter currently set before Judge Barranco on August 7, 2024, please see the attached courtesy copies of documents that the Plaintiff Ohana Growth Partners, LLC filed via MDEC earlier this afternoon.

Respectfully,

Robert Brennen

Principal

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Subject: Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-002264 - Request for Entry of Default
From: "Duvall, Jessica L." <jduvall@MilesStockbridge.com>
To: "ryan@mx13.com" <ryan@mx13.com>
Cc: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>, "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
Date Sent: Tuesday, August 20, 2024 11:44:31 AM GMT-04:00
Date Received: Tuesday, August 20, 2024 11:44:49 AM GMT-04:00
Attachments: Request for Entry of Order of Default Against Ryan Dillon-Capps.pdf, Exhibit 1.pdf, Exhibit 2..pdf, Proposed Order of Default.pdf

Hello,

Please see the attached Request for Entry of Default, Exhibits, and Proposed Order that were filed with the court today.

Thank you,



Jessica L. Duvall (She/Her/Hers) | Associate
Miles & Stockbridge
direct: +1 (410) 385-3436

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Subject: Automatic reply: [EXTERNAL] Immediate Action Required - Final Attempt to Resolve Critical Legal Issues
From: "Hoffberger, Victoria (Tory)" <vhoffberger@milesstockbridge.com>
To: Ryan Wagner <ryan@mx13.com>
Date Sent: Friday, August 23, 2024 10:30:19 AM GMT-04:00
Date Received: Friday, August 23, 2024 10:30:29 AM GMT-04:00

I am out of the office on parental leave. Please reach out to my assistant, Tammy Medinger at tmedinger@milesstockbridge.com, and she will make sure that your matter is appropriately handled.

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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 17940350

From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>

To: "ryan@mxt3.com" <ryan@mxt3.com>

Cc: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>, "Duvall, Jessica L." <jduvall@MilesStockbridge.com>

Date Sent: Monday, September 9, 2024 11:25:10 PM GMT-04:00

Date Received: Monday, September 9, 2024 11:25:28 PM GMT-04:00

Attachments: Proposed Order Denying Motion to Dismiss.pdf, Opposition to Defendant's Motion to Dismiss - Dillon-Capps (1).pdf

Please find attached Plaintiff's Opposition and the Proposed Order that was filed today.

Thank you - Kim

Assistant to Robert Brennen

From: no-reply@efilingmail.tylertech.cloud

Date: Mon, Sep 9, 2024, 5:17 PM

To: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 17940350

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264

Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps

Envelope Number: 17940350

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	9/9/2024 5:16 PM EST
Filing Type	Opposition
Filing Description	Plaintiff's Opposition to Defendant's Motion to Dismiss
Filed By	Robert Brennen
Service Contacts	Ryan Wagner: Ryan Dillon-Capps (ryan@mxt3.com)
	Ohana Growth Partners, LLC: Robert Brennen (rbrennen@milesstockbridge.com) Steven Frenkil (sfrenkil@milesstockbridge.com) Victoria Klein (vklein@milesstockbridge.com) Kim Edwards (kjedwards@milesstockbridge.com) Jessica Duvall (jduvall@MilesStockbridge.com)
	Ryan Dillon-Capps: Ryan Dillon-Capps (ryan@mxt3.com)

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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18117580
 From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Date Sent: Monday, September 23, 2024 1:22:27 PM GMT-04:00
 Date Received: Monday, September 23, 2024 1:22:42 PM GMT-04:00
 Attachments: external.png, 2024-09-23 Opposition to Defendant's Motion to Vacate Order of Default.pdf, 2024-09-23 Proposed Order Denying Motion to Vacate Order of Default.pdf

Good Afternoon – Please find attached Plaintiff's Opposition and Proposed Order that was filed today.

Thank you – Kim
 Assistant to Robert Brennan



Kim J. Edwards Legal Practice Assistant
 Miles & Stockbridge
 direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
 Sent: Monday, September 23, 2024 1:14 PM
 To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
 Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18117580

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
 Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
 Envelope Number: 18117580

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	9/23/2024 1:13 PM EST
Filing Type	Opposition
Filing Description	Plaintiff's Opposition to Defendant's Motion to Vacate Order of Default
Filed By	Robert Brennan
Service Contacts	Ryan Wagner: Ryan Dillon-Capps (ryan@mxt3.com)
	Ohana Growth Partners, LLC: Robert Brennan (rbrennen@milesstockbridge.com) Steven Frenkil (sfrenkil@milesstockbridge.com) Jessica Duvall (jduvall@MilesStockbridge.com) Victoria Kleir (yklein@milesstockbridge.com) Kim Edwards (kjedwards@milesstockbridge.com) Ryan Dillon-Capps: Ryan Dillon-Capps (ryan@mxt3.com)

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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18169161
 From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Cc: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>, "Duvall, Jessica L." <jduvall@MilesStockbridge.com>
 Date Sent: Thursday, September 26, 2024 8:42:53 AM GMT-04:00
 Date Received: Thursday, September 26, 2024 8:43:09 AM GMT-04:00
 Attachments: external.png, 2024-09-26 Opposition to Defendant's Motion to Strike Opposition to Motion to Vacate Order of Default.pdf, 2024-09-26 Proposed Order Denying Motion to Strike Opposition to Motion to Vacate Order of Default.pdf

Good Morning - Please find attached Plaintiff's Opposition and Proposed Order that was filed today.

Thank you – Kim
 Assistant to Robert Brennen



Kim J. Edwards | Legal Practice Assistant
 Miles & Stockbridge
 direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
 Sent: Thursday, September 26, 2024 8:35 AM
 To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
 Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18169161

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
 Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
 Envelope Number: 18169161

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	9/26/2024 8:34 AM EST
Filing Type	Opposition
Filing Description	Plaintiff's Opposition to Defendant's Motion to Strike Plaintiff's Opposition to Defendant's Motion to Vacate Order of Default
Filed By	Robert Brennen
Service Contacts	Ryan Wagner: Ryan Dillon-Capps (ryan@mxt3.com) Ohana Growth Partners, LLC: Robert Brennen (rbrennen@milestockbridge.com) Steven Frenkil (sfrenkil@milestockbridge.com) Victoria Kleir (vklein@milestockbridge.com) Kim Edwards (kjedwards@milestockbridge.com) Jessica Duvall (jduvall@MilesStockbridge.com) Ryan Dillon-Capps: Ryan Dillon-Capps (ryan@mxt3.com)

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Subject: FW: Ohana Growth Partners, LLC v Ryan Dillon-Capps
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: Ryan Wagner <ryan@mxt3.com>
 Date Sent: Saturday, September 28, 2024 9:54:23 AM GMT-04:00
 Date Received: Saturday, September 28, 2024 9:58:24 AM GMT-04:00
 Attachments: Civil - Case Information Report1.pdf,2024-06-14 Complaint Ohana v Dillon-Capps.pdf,2024-06-14 TRO PI Cover Motion.pdf,2024-06-14 MOL in support of TRO.pdf,Exhibit 1 to MOL - Hartman Affidavit.pdf,Exhibit 2 to MOL - Justin Drummond Affidavit.pdf,Exhibit 3 to MOL.pdf,2024-06-14 Proposed TRO.pdf,2024-06-14 -Proposed Order--FILED.pdf,2024-06-17 Notice of Clerk entering TRO into MDEC.pdf,2024-06-17 - ORDER Temporary Restraining Order entered (DiSimone)).pdf

Defendant Dillon-Capps,

Thank you for your recent message. As application of the slightest common sense and careful review of the Court record might have revealed, your message contains a series factually incorrect statements and assumptions.

Below is the email that, consistent with the Certificate of Notice, was transmitted to ryan.dilloncapps@ohanagp.com at 11:49 a.m. on June 14, 2024 with attached copies of the Complaint and TRO motion papers. As the email indicated, the documents had yet to be filed electronically via the Maryland Electronic Courts (MDEC) system.

As you may have noticed, after the Clerk of the Court accepts a filing through MDEC, an electronic date stamp is applied in the upper right-hand corner of the first page of the Court's electronic copy. Here is an example of what that looks like:

E-FILED; Baltimore County Circuit Court
Docket: 6/14/2024 12:18 PM; Submission: 6/14/2024 12:18 PM
Envelope: 16844353

As you can see, the "2024-06-14 Proposed TRO" pdf file that was attached to the 11:49 a.m. email does not bear such a time stamp, which is consistent with the fact that it had not yet been filed via MDEC and accepted by the Clerk. And, of course, the signature line for a judge is blank, and the blank in Paragraph 2 for the bond amount and blanks for the date and time above the signature line for the judge are also blank. After that proposed Order was filed, with the Complaint and other motion papers, the MDEC system applied a date stamp in the upper right-hand corner of the Court's electronic copy. See the 2024-06-14-Proposed Order-FILED which I have attached.

When, on June 17, 2024, Judge DiSimone determined that Ohana's Motion for Temporary Restraining Order should be granted, his Chambers pulled up a copy of the Court's electronic copy of the proposed Order, which, of course, bore the June 14th filing date stamp. At Judge DiSimone's direction, his staff inserted "\$1.00 (one dollar)" on the blank in Paragraph 2, inserted the date and time above the signature line. His staff then printed the document, and he signed it. At 11:06 a.m., someone in the Clerk's office with the initials RB entered the signed TRO into the MDEC system. See attached Notice of Clerk entering TRO into MDEC. The MDEC system then superimposed a new e-filed date stamp over the original date stamp. See 2024-06-17 ORDER Temporary Restraining Order entered (DiSimone), a copy of which is attached. If you look carefully at some of the many orders denying your various motions and granting Ohana's motions, in which the judge signed a proposed order that we had submitted or stamped an order on first page of one of your motions, you will frequently see one e-file date stamp superimposed on another.

While I did appear in Judge DiSimone's courtroom on the morning of June 17, 2024, and was present when he signed the TRO, I did not wait for the TRO to be walked to the Clerk's office and docketed. I was not in the courthouse at 2:45 p.m. when my colleague Ms. Hoffberger, attorney of record for Ohana and listed on the signature block, personally appeared at the Clerk's filing desk, filed a hard copy of the Line (which bore my electronic signature), paid the \$1.00 bond to the Clerk, and obtained a physically date-stamped hard copy of the Line. The Line, which makes no representation of my being physically present at its filing, is completely accurate.

Thus, as you now hopefully understand, your assertion that we signed the TRO for Judge DiSimone prior to filing the proposed version on June 14th is, like every substantive assertion you have attempted to make to the Court in this matter, completely wrong.

Have a great weekend!



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Brennen, Robert S.
 Sent: Friday, June 14, 2024 11:49 AM
 To: Ryan.DillonCapps@ohanagp.com
 Subject: Ohana Growth Partners, LLC v Ryan Dillon-Capps
 Importance: High

We have been retained by Ohana Growth Partners, LLC to represent it in connection with your ongoing breaches of your contract with and duty of loyalty to the Company and your continuing violation of Md. CODE ANN., CRIM. LAW., §7-302(c) through your refusal to provide Global Admin rights to Phil Leodore of Hartman Executive Advisors. Your continued refusal to comply with Ohana's demands, and your action to lock VP of Human Resources Richard Hartman out of the Company's MS 365 account has left the Company with no option but to seek assistance of the courts.

Attached are copies of a Complaint that **will be filed** on Ohana's behalf against you in the Circuit Court for Baltimore County. Also attached is a Motion for Entry of a Temporary Restraining Order and Preliminary Injunction, Memorandum of Law in support of the motion with exhibits, and a proposed Order that will be filed along with the Complaint. Our transmitting these documents does not currently constitute service of process triggering your duty to file a response to the Complaint, but it does place you on notice of the Motion for a TRO.

Immediately after the documents are filed we will transmit courtesy copies of the filings to the Hon. Michael J. Finifter, who is serving as today's Chambers Judge for the Court, and request that we be given an opportunity to heard on the Motion for a TRO as soon as possible this afternoon. I will advise you as to whether the Court sets an in-person or telephonic hearing on the motion. If you are represented by an attorney, you should have your attorney contact me as soon as possible.

Ohana will consider withdrawing the Motion for TRO provided that (1) you immediately provide Global Admin rights to Phil Leodore of Hartman Executive Advisors.; (2) we receive confirmation from Mr. Leodore that he has received and can exercise those rights; and (3) you confirm in writing that you will comply with the suspension letter sent to you yesterday by Richard Hartman. Time is of the essence. Ohana is also open to a negotiated resolution to the entire matter and any claims that you believe you may have, but will not entertain any discussions until the issue of Global Admin rights is resolved. I am available by telephone to discuss the matter with you and/or your attorney should you wish to do so.

Regards,

Robert Brennen
 Principal

100 Light Street Baltimore, MD 21202
 D: +1 410.385.3653 O: +1 410.727.6464 F: +1 410.698.1352



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Subject: Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps: June 26, 2024 Transcript
From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Monday, September 30, 2024 9:49:44 AM GMT-04:00
Date Received: Monday, September 30, 2024 9:53:09 AM GMT-04:00
Attachments: 26jun24countyohanafull.pdf

Good Morning - Please see the attached.

Thank you – Kim
Assistant to Robert Brennan

Kim J. Edwards

Legal Practice Assistant

100 Light Street Baltimore, MD 21202
D: +1 410.385.3718 O: +1 410.777.6464 F: +1 410.697.6160



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Subject: Ohana Growth Partners, LLC v. Ryan Dillon-Capps
From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
To: Ryan Wagner <ryan@mt3.com>
Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
Date Sent: Wednesday, October 2, 2024 4:41:12 PM GMT-04:00
Date Received: Wednesday, October 2, 2024 4:41:25 PM GMT-04:00

Ryan Dillon-Capps.

While the parties' respective views of the relevant facts and applicable law seem irreconcilable in key respects, Ohana Growth Partners is open to your meeting with me and Mr. Frenkil for a discussion of whether there is any possibility of a negotiated end to the ongoing litigation. If that is of interest, please advise as to your availability for balance of this week and next week.

Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
 D: +1 410.385.3653 O: +1 410.727.6464 F: +1 410.698.1352



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Subject: Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18380460
From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Friday, October 11, 2024 2:41:09 PM GMT-04:00
Date Received: Friday, October 11, 2024 2:41:28 PM GMT-04:00
Attachments: external.png, 2024-10-11 Opposition to Motion to Assert Rights and Request Immediate Rulings.pdf, 2024-10-11 Opposition to Motion to Add Counsel of Record.pdf, 2024-10-11 Opposition to Motion to Compel.pdf, 2024-10-11 Proposed Order Denying Motion to assert Rights, Motion to Add Counsel & Motion to Compel.pdf

Good Afternoon – Please find attached the below documents that were filed today

- Plaintiff's Opposition to Defendant's Motion to Assert Rights and Request Immediate Rulings
- Plaintiff's Opposition to Defendant's Motion to Add Counsel of Record
- Plaintiff's Opposition to Defendant's Motion to Motion to Compel
- Proposed Order – Denying Defendant's Motions

Thank you – Kim
 Assistant to Robert S. Brennan



Kim J. Edwards Legal Practice Assistant
 Miles & Stockbridge
 direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
Sent: Friday, October 11, 2024 2:32 PM
To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18380460

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
 Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
 Envelope Number: 18380460

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	10/11/2024 2:30 PM EST
Filing Type	Opposition
Filing Description	Plaintiff's Opposition to Defendant's Motion to Assert Rights and Request Immediate Rulings
Filed By	Robert Brennan
Service Contacts	<p>Ohana Growth Partners, LLC:</p> <p>Robert Brennan (rbrennen@milesstockbridge.com)</p> <p>Steven Frenkil (sfrenkil@milesstockbridge.com)</p> <p>Jessica Duvall (jduvall@MilesStockbridge.com)</p> <p>Victoria Kleir (vklein@milesstockbridge.com)</p> <p>Kim Edwards (kjedwards@milesstockbridge.com)</p> <p>Ryan Dillon-Capps:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p> <p>Ryan Wagner:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p>

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Subject: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Motion for Special Assignment, Envelope Number: 18381557

From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>

To: Ryan Wagner <ryan@mxt3.com>

Date Sent: Friday, October 11, 2024 3:08:39 PM GMT-04:00

Date Received: Friday, October 11, 2024 3:08:54 PM GMT-04:00

Attachments: external.png, 2024-10-11 Request for Special Assignment.pdf, 2024-10-11 - Order Assigning Matter to Judge.pdf

Good Afternoon - Please find attached Plaintiff's Request for Special Assignment and Proposed Order that was filed today.

Thank you – Kim

Assistant to Robert S. Brennen



Kim J. Edwards Legal Practice Assistant
Miles & Stockbridge
direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>

Sent: Friday, October 11, 2024 3:06 PM

To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Motion for Special Assignment, Envelope Number: 18381557

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264

Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps

Envelope Number: 18381557

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	10/11/2024 3:05 PM EST
Filing Type	Motion for Special Assignment
Filing Description	Request for Special Assignment
Filed By	Robert Brennen
Service Contacts	<p>Ryan Wagner:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p> <p>Ohana Growth Partners, LLC:</p> <p>Robert Brennen (rbrennen@milestockbridge.com)</p> <p>Steven Frenkil (sfrenkil@milestockbridge.com)</p> <p>Jessica Duvall (jduvall@MilesStockbridge.com)</p> <p>Victoria Kleir (vklein@milestockbridge.com)</p> <p>Kim Edwards (kjedwards@milestockbridge.com)</p> <p>Ryan Dillon-Capps:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p>

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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Proposed Order / Decree, Envelope Number: 18403325
From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Tuesday, October 15, 2024 12:15:55 PM GMT-04:00
Date Received: Tuesday, October 15, 2024 12:16:17 PM GMT-04:00
Attachments: external.png, 2024-10-15 Proposed Order Denying Motion to assert Rights.pdf, 2024-10-15 Proposed Order Denying Motion to Add Counsel.pdf, 2024-10-15 Proposed Order Denying Motion to Compel.pdf

Good Afternoon – Please find attached the below documents that were filed today to correct the Deficiency Notice filed on 10/15/2024 with envelope 18380460

- Plaintiff's Proposed Order Denying Motion to Assert Rights and Request Immediate Rulings
- Plaintiff's Proposed Order Denying Motion to Add Counsel of Record
- Plaintiff's Proposed Order Denying Motion to Motion to Compel

Thank you – Kim
Assistant to Robert S. Brennan



Kim J. Edwards Legal Practice Assistant
Miles & Stockbridge
direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>

Sent: Tuesday, October 15, 2024 11:33 AM

To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Proposed Order / Decree, Envelope Number: 18403325

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 18403325

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	10/15/2024 11:32 AM EST
Filing Type	Proposed Order / Decree
Filing Description	Plaintiff's Proposed Order Denying Motion to Add Counsel
Filed By	Robert Brennan
Service Contacts	<p>Ohana Growth Partners, LLC:</p> <p>Steven Frenkil (sfrenkil@milesstockbridge.com)</p> <p>Jessica Duvall (jduvall@MilesStockbridge.com)</p> <p>Robert Brennan (rbrennen@milesstockbridge.com)</p> <p>Victoria Klein (vklein@milesstockbridge.com)</p> <p>Kim Edwards (kjedwards@milesstockbridge.com)</p> <p>Ryan Dillon-Capps:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p> <p>Ryan Wagner:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p>

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Subject: RE: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
 Date Sent: Friday, October 18, 2024 1:45:09 PM GMT-04:00
 Date Received: Friday, October 18, 2024 1:45:22 PM GMT-04:00

Consistent with its position throughout the ongoing litigation, Ohana Growth Partners remains open to good faith negotiations regarding a possible resolution of the litigation. However, in light of the parties' respective and very divergent views on the material facts and applicable law, Ohana does not think that direct party to party discussions are likely to be constructive. Ohana proposes that the parties agree to participate in settlement discussions with the assistance and participation of a mediator appointed by the Court, preferably a retired Circuit Court judge. Please advise whether you would object to or consent to the Court's referring the matter to a court-appointed mediator for mediation. If you consent, or at least do not object, we will prepare and file a request to the Court that it make such a referral and indicate in the request that you either consent, or do not object.

We look forward to hearing from you.



Robert Brennen | Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
 Sent: Friday, October 18, 2024 11:30 AM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <vhoffberger@MilesStockbridge.com>; Edwards, Kimale J. <kjedwards@MilesStockbridge.com>; Butler, Holly Drumheller <hbutler@MilesStockbridge.com>; Duvall, Jessica L. <jduvall@MilesStockbridge.com>
 Subject: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

[EXTERNAL]

I am writing to formally propose an opportunity to engage in negotiations to resolve the ongoing litigation and open to discussing future litigation with Ohana Growth Partners, LLC and Miles & Stockbridge, PC. I believe that an amicable resolution can be achieved without the need for additional litigation, which would be beneficial to both parties in terms of time, cost, and preserving business relations.

If you wish to open negotiations, please respond to this email to declare participating and representing parties. I will provide an updated negotiation agreement that aligns. I am confident that through constructive dialogue, we can arrive at a solution that meets the needs of all involved.

Please include the following when you respond.

_____ (parties) are open to discussions on the following key points:

1. [Briefly outline the main points you wish to negotiate]
2. [Propose potential terms or frameworks for negotiation, if you want to propose terms for the negotiation agreement]

A belief that negotiating in good faith at this stage will allow us to avoid further unnecessary escalation of the situation and find a solution is to Ohana Growth Partners, LLC and Miles & Stockbridge, PC benefit.

Please feel free to contact me via email at ryan@mxt3.com if you have any preliminary questions to ask in good faith.

I hope we can work towards a resolution.

The previous terms for the negotiation agreement are no longer available, previous terms are no longer available, and the closed session is no longer available.

with kindness and generosity,

Ryan Dillon-Capps

1334 Maple Ave

Essex MD 21221
 703-303-1113

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Subject: Ohana Growth Partners, LLC v. Ryan Dillon-Capps, C-03-CV-24-002264

From: "Duvall, Jessica L." <jduvall@MilesStockbridge.com>

To: "ryan@mxt3.com" <ryan@mxt3.com>

Cc: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>, "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>

Date Sent: Friday, October 18, 2024 8:03:14 PM GMT-04:00

Date Received: Friday, October 18, 2024 8:03:40 PM GMT-04:00

Attachments: Proposed Order re Motion for Protective Order - Dillon-Capps.pdf, 2024-10-14 Motion for Protective Order.pdf, Opposition to Motion for Expedited Discovery.pdf, Proposed Order re Opposition to Motion for Expedited Discovery- Dillon-Capps.pdf, Request for Scheduling Conference - Dillon Capps.pdf

Hello,

Please see the attached documents that were filed with the court today.

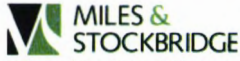
Thank you,

Jessica L. Duvall (She/Her/Hers)

Associate

100 Light Street Baltimore, MD 21202

D: +1 410.385.3436 O: +1 410 727 6464 F: +1 410.385.3700



bio | vCard | jduvall@milesstockbridge.com



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Subject: RE: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
 Date Sent: Monday, October 21, 2024 9:24:43 AM GMT-04:00
 Date Received: Monday, October 21, 2024 9:25:01 AM GMT-04:00

Because Judge Rolle is a full-time judicial appointee, she is barred by Maryland Rule 18-203.9(a) from serving as a mediator. The Circuit Court for Baltimore County could appoint a retired judge from that Circuit to serve as the mediator. Do you have a preference with regard to a particular retired judge of the Baltimore County Circuit Court?



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
 Sent: Friday, October 18, 2024 2:44 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: Re: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

[EXTERNAL]

I am open to this opportunity, but I want Judge Stenise L Rolle to be asked and for all parties to accommodate her schedule. Is this acceptable?

On Fri, Oct 18, 2024 at 1:45 PM Brennen, Robert S. <RBRENNEN@MilesStockbridge.com> wrote:

Consistent with its position throughout the ongoing litigation, Ohana Growth Partners remains open to good faith negotiations regarding a possible resolution of the litigation. However, in light of the parties' respective and very divergent views on the material facts and applicable law, Ohana does not think that direct party to party discussions are likely to be constructive. Ohana proposes that the parties agree to participate in settlement discussions with the assistance and participation of a mediator appointed by the Court, preferably a retired Circuit Court judge. Please advise whether you would object to or consent to the Court's referring the matter to a court-appointed mediator for mediation. If you consent, or at least do not object, we will prepare and file a request to the Court that it make such a referral and indicate in the request that you either consent, or do not object.

We look forward to hearing from you.



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
 Sent: Friday, October 18, 2024 11:30 AM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hloffberger, Victoria (Tory) <vhloffberger@MilesStockbridge.com>; Edwards, Kimale J. <kjedwards@MilesStockbridge.com>; Butler, Holly Drumheller <hbutler@MilesStockbridge.com>; Duvall, Jessica L. <jduvall@MilesStockbridge.com>
 Subject: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

[EXTERNAL]

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If you wish to open negotiations, please respond to this email to declare participating and representing parties. I will provide an updated negotiation agreement that aligns. I am confident that through constructive dialogue, we can arrive at a solution that meets the needs of all involved.

Please include the following when you respond.

_____ (parties) are open to discussions on the following key points:

1. [Briefly outline the main points you wish to negotiate]
2. [Propose potential terms or frameworks for negotiation, if you want to propose terms for the negotiation agreement]

A belief that negotiating in good faith at this stage will allow us to avoid further unnecessary escalation of the situation and find a solution is to Ohana Growth Partners, LLC and Miles & Stockbridge, PC benefit.

Please feel free to contact me via email at ryan@mxt3.com if you have any preliminary questions to ask in good faith.

I hope we can work towards a resolution.

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with kindness and generosity.

Ryan Dillon-Capps

1334 Maple Ave

Essex MD 21221
 703-303-1113

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Subject: RE: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Date Sent: Monday, October 21, 2024 12:14:39 PM GMT-04:00
 Date Received: Monday, October 21, 2024 12:14:53 PM GMT-04:00

Ohana is amenable to retaining Judge Williams as a mediator. I will reach out to him via email to ascertain his availability to conduct a mediation conference within the next several days.



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
 Sent: Monday, October 21, 2024 10:32 AM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Subject: Re: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

[EXTERNAL]

Understandable.

To help expedite this matter, we suggest using Judge Alexander Williams, Jr. (Ret.) as a mediator. His track record with resolving cases efficiently and his no-nonsense approach would likely ensure we reach a solution quickly, minimizing ongoing legal expenses and avoiding prolonged court involvement. His reputation for straightforward and practical resolutions aligns with our shared goal of finding a mutually agreeable outcome without unnecessary delays or escalating costs.

Additionally, utilizing a private mediation group like the McCammon Group allows us both to maintain more control over the process, ensuring flexibility and convenience for scheduling, while keeping the costs and timeline manageable for both sides. The McCammon group boasts that 85% of the mediations they handle result in a settlement, and they have an agreeable neutral format.

There will be a large filing later today. I wanted to let you know in advance to avoid any misunderstanding because this was already planned and it is not an indication of a change in my position. I recommend engaging them quickly if it is agreeable.

Judge Alexander Williams, Jr. (Ret.) (U.S. District Court for Maryland)

- Website: <https://www.mccammongroup.com/>
- Phone: 888-343-0922
- <https://www.mccammongroup.com/services/civil-dispute-mediation/basics-mediation/>
- <https://www.mccammongroup.com/ neutrals/hon-alexander-williams-jr-ret/>

On Mon, Oct 21, 2024 at 9:25 AM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

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Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
 Sent: Friday, October 18, 2024 2:44 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: Re: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

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We look forward to hearing from you.



Robert Brenner Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
Sent: Friday, October 18, 2024 11:30 AM
To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>; Hoffberger, Victoria (Tory) <yhoffberger@MilesStockbridge.com>; Edwards, Kimale J. <kjedwards@MilesStockbridge.com>; Butler, Holly Drumheller <hbutler@MilesStockbridge.com>; Duvall, Jessica L. <jduvall@MilesStockbridge.com>
Subject: [EXTERNAL] Opportunity to Negotiate Settlement - October 18, 2024

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with kindness and generosity.

Ryan Dillon-Capps

1334 Maple Ave

Essex MD 21221

703-303-1113

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Subject: Retention as Mediator
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "judgeaw@gmail.com" <judgeaw@gmail.com>
 Cc: Ryan Wagner <ryan@mxt3.com>, "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
 Date Sent: Monday, October 21, 2024 12:25:48 PM GMT-04:00
 Date Received: Monday, October 21, 2024 12:26:04 PM GMT-04:00

Dear Judge Williams,

Good afternoon. We represent Ohana Growth Partners, LLC in a matter pending before the Circuit Court for Baltimore County styled as *Ohana Growth Partners, LLC v. Ryan Dillon-Capps*, Case No. C-03-CV-24-002264. Ryan Dillon-Capps (*nee Wagner*) is proceeding *pro se*. The parties would like to retain Your Honor to assist them in mediating a resolution of the matter, and would like to schedule a mediation conference with you at your earliest convenience. Please advise how we should proceed with your retention.

Respectfully,

Robert Brennen

Principal

100 Light Street Baltimore, MD 21202
 D: +1 410.385.3653 O: +1 410.777.6464 F: +1 410.698.1352



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Subject: FW: Retention as Mediator
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: Ryan Wagner <ryan@mxt3.com>
 Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
 Date Sent: Tuesday, October 22, 2024 9:40:40 AM GMT-04:00
 Date Received: Tuesday, October 22, 2024 9:40:55 AM GMT-04:00

We have heard that retired Baltimore County Circuit Court Judge Kathleen Cox will take on mediation retentions involving *pro se* litigants.
<https://msa.maryland.gov/msa/mdmanual/31cc/former/html/msa02818.html>
 Let us know if you would agree to use Judge Cox.



Robert Brennen *Principal*
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Perri Boyd <pboyd@mccammongroup.com>
 Sent: Monday, October 21, 2024 1:15 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: [EXTERNAL] RE: Retention as Mediator

[EXTERNAL]

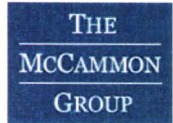
Counsel,

It is McCammon's policy that all parties in mediation must have attorneys, and we coordinate the scheduling process through the attorneys. If Mr. Wagner decides to retain counsel for this matter, please reach out to us, and we would be happy to move forward with scheduling mediation.

Thanks!

Regards,

Perri Boyd
 Senior Case Manager



The McCammon Group, Ltd.
 Direct: 804.433.2259 | Toll Free: 888.343.0922
www.McCammonGroup.com

From: Alexander Williams <judgeaw@gmail.com>
 Sent: Monday, October 21, 2024 12:29 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>; Perri Boyd <pboyd@mccammongroup.com>; Williams, Alexander, Jr. <judgeaw@gmail.com>
 Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: Re: Retention as Mediator

Will be happy to assist. I'll have copied Perri Boyd from the McCammon Group will work out the logistics.

Alex Williams

From: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Sent: Monday, October 21, 2024 12:25 PM
 To: judgeaw@gmail.com <judgeaw@gmail.com>
 Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: Retention as Mediator

Dear Judge Williams,

Good afternoon. We represent Ohana Growth Partners, LLC in a matter pending before the Circuit Court for Baltimore County styled as *Ohana Growth Partners, LLC v. Ryan Dillon-Capps*, Case No. C-03-CV-24-002264. Ryan Dillon-Capps (*nee Wagner*) is proceeding *pro se*. The parties would like to retain Your Honor to assist them in mediating a resolution of the matter, and would like to schedule a mediation conference with you at your earliest convenience. Please advise how we should proceed with your retention.

Respectfully,

Robert Brennen
Principal
 100 Light Street Baltimore, MD 21202
 D: +1 410.385.3653 O: +1 410 777.6464 F: +1 410 698.1352



MILES &
 STOCKBRIDGE

bio | vCard | rbrennen@milesstockbridge.com



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Subject: RE: [EXTERNAL] Re: FW: Retention as Mediator
 From: "Brennen, Robert S." <RBRENNEN@MilesStockbridge.com>
 To: "ryan@mxt3.com" <ryan@mxt3.com>
 Cc: "Frenkil, Steven D." <sfrenkil@MilesStockbridge.com>
 Date Sent: Tuesday, October 22, 2024 3:17:30 PM GMT-04:00
 Date Received: Tuesday, October 22, 2024 3:17:46 PM GMT-04:00

As stated in my email of October 18, 2024, Ohana Growth Partners remains open to good faith negotiations regarding a possible resolution of the litigation. However, in light of the parties' respective and very divergent views on the material facts and applicable law, Ohana does not think that direct party to party discussions are likely to be constructive. Ohana continues to be open to participating in settlement discussions with the assistance and participation of a mediator.



Robert Brennen Principal
 Miles & Stockbridge
 direct: +1 (410) 385-3653

From: Ryan Wagner <ryan@mxt3.com>
 Sent: Tuesday, October 22, 2024 12:24 PM
 To: Brennen, Robert S. <RBRENNEN@MilesStockbridge.com>
 Cc: Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: [EXTERNAL] Re: FW: Retention as Mediator

[EXTERNAL]

Maybe,

I held the filing back yesterday as a courtesy. I want to give both of you the opportunity to be heard -- I am not going into the city to your office or anywhere that is favorable ground to either of you.

Let's see if we can save everyone time -- 5625 O'Donnell St, Baltimore, MD 21224 parking lot. Twenty-minute meeting today. It can be during or after hours, and it is between both of us at a large establishment.

You, Robert, and Steven present the position for Ohana and M&S and let's see if there are sufficient grounds to discuss further.

hopeful,
 RDC

On Tue, Oct 22, 2024 at 9:40 AM Brennen, Robert S. <RBRENNEN@milesstockbridge.com> wrote:

We have heard that retired Baltimore County Circuit Court Judge Kathleen Cox will take on mediation retentions involving pro se litigants.
<https://msa.maryland.gov/msa/mdmanual/31cc/former/html/msa02818.html>
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 Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: [EXTERNAL] RE: Retention as Mediator

[EXTERNAL]

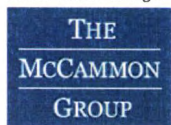
Counsel,

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Thanks!

Regards,

Perri Boyd
 Senior Case Manager



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 Cc: Ryan Wagner <ryan@mxt3.com>; Frenkil, Steven D. <sfrenkil@MilesStockbridge.com>
 Subject: Re: Retention as Mediator

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Alex Williams

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To: judgeaw@gmail.com <judgeaw@gmail.com>
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Subject: Retention as Mediator

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Respectfully,

Robert Brennen

Principal

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[bio](#) | [vCard](#) | rbrennen@milesstockbridge.com



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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Dismissal - Voluntary, Envelope Number: 18536331
 From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
 To: Ryan Wagner <ryan@mxt3.com>
 Date Sent: Thursday, October 24, 2024 10:52:45 AM GMT-04:00
 Date Received: Thursday, October 24, 2024 10:53:08 AM GMT-04:00
 Attachments: 2024-10-24 Notice of Voluntary Dismissal.pdf

Good Morning – Please find attached Plaintiff's Notice of Voluntary Dismissal that was filed today.

Thank you – Kim
 Assistant to Robert S. Brennan



Kim J. Edwards Legal Practice Assistant
 Miles & Stockbridge
 direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
 Sent: Thursday, October 24, 2024 8:55 AM
 To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
 Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Dismissal - Voluntary, Envelope Number: 18536331

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
 Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
 Envelope Number: 18536331

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	10/24/2024 8:53 AM EST
Filing Type	Dismissal - Voluntary
Filing Description	Plaintiff's Notice of Voluntary Dismissal
Filed By	Robert Brennan
Service Contacts	<p>Ohana Growth Partners, LLC:</p> <p>Robert Brennan (rbrennen@milesstockbridge.com)</p> <p>Steven Frenkil (sfrenkil@milesstockbridge.com)</p> <p>Jessica Duvall (jduvall@MilesStockbridge.com)</p> <p>Victoria Klein (vklein@milesstockbridge.com)</p> <p>Kim Edwards (kjedwards@milesstockbridge.com)</p> <p>Ryan Dillon-Capps:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p> <p>Ryan Wagner:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p>

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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18566391
From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Friday, October 25, 2024 3:45:30 PM GMT-04:00
Date Received: Friday, October 25, 2024 3:45:43 PM GMT-04:00
Attachments: 2024-10-25 Opposition to Motion to Strike Notice of Voluntary Dismissal.pdf, 2024-10-25 Proposed Order Denying Motion to Strike Notice of Voluntary Dismissal.pdf

Good Afternoon – Please find attached Plaintiff's Opposition to Defendant's Motion to Strike Notice of Voluntary Dismissal and Proposed Order that was filed today.

Thank you – Kim
Assistant to Robert S. Brennen



Kim J. Edwards Legal Practice Assistant
Miles & Stockbridge
direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
Sent: Friday, October 25, 2024 3:36 PM
To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>
Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18566391

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 18566391

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Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	10/25/2024 3:34 PM EST
Filing Type	Opposition
Filing Description	Plaintiff's Opposition to Defendant's Motion to Strike Notice of Voluntary Dismissal
Filed By	Robert Brennen
Service Contacts	<p>Ryan Wagner:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p> <p>Ohana Growth Partners, LLC:</p> <p>Robert Brennen (rbrennen@milestockbridge.com)</p> <p>Steven Frenkil (sfrenkil@milestockbridge.com)</p> <p>Jessica Duvall (jduvall@MilesStockbridge.com)</p> <p>Victoria Klein (vklein@milestockbridge.com)</p> <p>Kim Edwards (kjedwards@milestockbridge.com)</p> <p>Ryan Dillon-Capps:</p> <p>Ryan Dillon-Capps (ryan@mxt3.com)</p>

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Subject: Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18646386
From: "Edwards, Kimale J." <kjedwards@MilesStockbridge.com>
To: Ryan Wagner <ryan@mxt3.com>
Date Sent: Thursday, October 31, 2024 5:21:35 PM GMT-04:00
Date Received: Thursday, October 31, 2024 5:21:47 PM GMT-04:00
Attachments: 2024-10-31 Opposition to 10-25-24 Motion for Sanctions.pdf, 2024-10-31 - Proposed Order Denying 10-25-24 Motion for Sanctions.pdf

Good Afternoon – Please find attached Plaintiff's Opposition to the 10-25-24 Motion for Sanctions that was filed today.

Thank you – Kim
Assistant to Robert S. Brennan



Kim J. Edwards | Legal Practice Assistant
Miles & Stockbridge
direct: +1 (410) 385-3718

From: no-reply@efilingmail.tylertech.cloud <no-reply@efilingmail.tylertech.cloud>
Sent: Thursday, October 31, 2024 5:17 PM

To: Edwards, Kimale J. <kjedwards@MilesStockbridge.com>

Subject: [EXTERNAL] Notification of Service for Case: C-03-CV-24-002264, Ohana Growth Partners, LLC vs. Ryan Dillon-Capps for filing Opposition, Envelope Number: 18646386

[EXTERNAL]



Notification of Service

Case Number: C-03-CV-24-002264
Case Style: Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Envelope Number: 18646386

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
Case Number	C-03-CV-24-002264
Case Style	Ohana Growth Partners, LLC vs. Ryan Dillon-Capps
Date/Time Submitted	10/31/2024 5:16 PM EST
Filing Type	Opposition
Filing Description	Opposition to 10-25-24 Motion for Sanctions
Filed By	Robert Brennan
Service Contacts	Ryan Wagner: Ryan Dillon-Capps (ryan@mxt3.com)
	Ohana Growth Partners, LLC: Robert Brennan (rbrennen@milestockbridge.com) Steven Frenkil (sfrenkil@milestockbridge.com) Victoria Klein (vklein@milestockbridge.com) Kim Edwards (kjedwards@milestockbridge.com) Jessica Duvall (jduvall@MilesStockbridge.com) Ryan Dillon-Capps: Ryan Dillon-Capps (ryan@mxt3.com)

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